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BENGAL LEGISLATIVE ASSEMBLY
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Bengal Legislative Assembly

Second Session, 1937

29th July, 2nd, 3rd, 4th and 5th August, 1937

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GOVERNOR OF BENGAL.

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Mr. K. ALI AFZAL, Barrister-at-law.

ASSISTANT SECRETARY TO ASSEMBLY (OFFG.).

Mr. K. C. GHOSH.

BENGAL LEGISLATIVE ASSEMBLY

ALPHABETICAL LIST OF MEMBERS.

A

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E

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...med Mia, Mr. [Malda South (Muhammadan).]
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Mafizuddin Choudhury, Maulvi. [Balurghat (Muhammadan).]
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M[illegible]rruf Hossain, the Hon'ble Nawab, Khan Bahadur. [Jalpaiguri *cum* Darjeeling (Muhammadan).]
[illegible]aswal Haque, Mr. Syed. [Bagerhat (Muhammadan).]
[illegible] Ali Dewan Sahib, Mr. [Brahmanbaria North (Muhammadan).]

N

[illegible] the Hon'ble Maharaja Sris Chandra, of Kasimbazar. [illegible]sideney Landholders.)
[illegible]ah, Nawabzada K. [Brahmanbaria South (Muhammadan).]
[illegible] Mr. Hem Chandra. [24-Parganas South-East (General).]
[illegible] Ali, the Hon'ble Mr. Syed. [Jessore Sadar (Muhammadan).]
[illegible]din, the Hon'ble Khawaja Sir, K.C.I.E. [Calcutta North [illegible]hammadan).]
[illegible] Mr. T. B. (Indian Jute Mills Association.)
[illegible]in, Mr. K. [Hooghly *cum* Howrah Municipal (Muham[illegible]n).]

P

Pain, Mr. Barada Prosanna. [Hooghly *cum* Howrah Municipal (General).]
Patton, Mr. W. C. [Darjeeling (European).]
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Pramanik, Mr. Tarinicharan. [Malda (General).]

R

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Suhrawardy, the Hon'ble Mr. H. S. [24-Parganas Municipal (Muhammadan).]
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T

...izuddin Khan, Maulvi. [Faridpur West (Muhammadan).]
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...kur, Mr. Promatha Ranjan. [Faridpur (General).]
...l Ahmed Choudhury, Maulvi Haji. [Bhola South (Muhammadan).]

W

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...ker, Mr. J. R. [Hooghly *cum* Howrah (European).]
...t, Mrs. Ellen. [Anglo-Indian (Women).]
...dsworth, Mr. W. C. (Bengal Chamber of Commerce.)

Y

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Yusuf Mirja. [24-Parganas Central (Muhammadan).]

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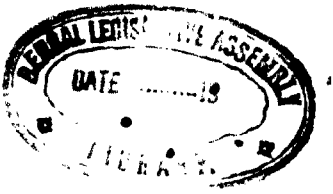


JOINT SESSION OF THE BENGAL LEGISLATIVE COUNCIL AND THE BENGAL LEGISLATIVE ASSEMBLY.

Proceedings of the Bengal Legislative Assembly under the provisions of the Government of India Act, 1935.

1. The Hon'ble the President and the Hon'ble the Speaker took their respective seats at 3 p.m.

2. At 3-5 p.m. the Secretary of the Council and the Secretary of the Assembly proceeded to the portico to receive His Excellency at 3-10 p.m. The Assistant Secretary of the Council announced the arrival of His Excellency to the Hon'ble the President and the Hon'ble the Speaker.

3. The Hon'ble the President and the Hon'ble the Speaker then met His Excellency in the centre of the inner square under the small dome in the vestibule where a procession was formed in the following order:—

MARSHAL.

ASSISTANT SECRETARY, ASSEMBLY.	ASSISTANT SECRETARY, COUNCIL.
SECRETARY, ASSEMBLY.	SECRETARY, COUNCIL.
THE HON'BLE THE SPEAKER.	THE HON'BLE THE PRESIDENT.

HIS EXCELLENCY.

MILITARY SECRETARY TO THE GOVERNOR OF BENGAL.	SECRETARY TO THE GOVERNOR OF BENGAL.
AIDE-DE-CAMP.	AIDE-DE-CAMP.

4. All present then rose as the procession entered the Chamber and remained standing until His Excellency took his seat.

5. The Hon'ble the President then invited His Excellency to occupy the Presidential Chair and the Hon'ble the President took his seat on His Excellency's right hand and the Hon'ble the Speaker on His Excellency's left.

His Excellency then addressed the Members of the Legislature as follows:—

MR. PRESIDENT, MR. SPEAKER AND MEMBERS OF THE BENGAL LEGISLATURE,—

Before your respective Chambers meet for the formal transaction of business, and before the stress and strain of the ensuing session comes upon you to demand your undivided attention, I have taken this opportunity as the representative in this Province of His Majesty the King-Emperor to welcome you here assembled together and to wish you God speed in your labours.

I am speaking to you at the beginning of what I trust will be a period of fruitful and continuous political development—and, if I may express a personal opinion, I think the pace of that development will be determined in practice not by the pronouncements of any formal tribunal but by the actual course of history now in the making in India.

Addressing you as I do for the first, and in all probability the last, time, I am fully conscious that some special significance may be attached to what I omit to say no less than to what I may say on this occasion. Let me then tell you at once that though circumstances might arise in which it would be appropriate—and perhaps necessary—for a Governor in addressing the legislature to make a declaration of the policy of the Provincial Executive—this present occasion does not in my judgment call for any such pronouncement.

A declaration of policy might be called for either upon the request of Ministers or by some necessity on the part of the Governor himself to make his own position clear in relation to a particular matter; in the matters that are likely to come before you during the present session Ministers will themselves present before you and justify the policy they intend to follow—and I am happy to say that I see no reason to anticipate the operation of any contingent responsibility of mine in such a manner as to require or justify an independent statement of my own position in relation to any act or proposal of the Executive Government.

Parliamentary practice at Westminster has accustomed us to the adoption of the King's speech as the vehicle for a general declaration by the Ministry of their legislative and general programme for the session. In reply to that speech a loyal Address is presented, and with that genius for illogical adaptation of historic forms to modern uses which characterises so much of the constitution of the United Kingdom, the debate on that Address has come to be regarded as the proper occasion for the opposition to formulate their criticisms of the proposals of Government and to expound their own views.

Here in India the position is different: the Governor in addressing the legislature does so not upon the responsibility of his Ministers but by virtue of a statutory right vested in himself. I have no intention on this occasion of taking advantage of an address, the terms of which cannot be thrown open to general debate, to refer in a controversial spirit to matters which must of necessity be the subject of keen debate in both of your Houses—debate in which it will be for my Ministers to justify the courses which with a full sense of their responsibilities they intend to pursue.

You may infer from this that there is no matter of ministerial policy likely to be laid before you in which I have felt called upon in the discharge of any responsibility vested in me to be guided otherwise than by the advice of my Ministers.

There are however matters of constitutional interest with which I might appropriately deal. The first of these touches indirectly upon a question which, as I fully realize, has its acutely controversial aspects —the question of the Bengal detenus. I do not propose to deal with the controversial aspects of that question but I feel that you are entitled to know from me not the policy that my Government intend to pursue, but the manner in which I view in general my own special responsibilities in this matter and the respective parts that Ministers and the Governor may be called upon to play in approaching a question of that nature.

I think I can state the matter very simply without sacrifice either of clarity or of precision. Under section 52 of the Government of India Act the Governor has a special responsibility for the prevention of any grave menace to peace and tranquillity. But, as I have already said at Dacca, this special responsibility in no degree ousts or undermines the primary responsibility that rests on Ministers. If a Ministry were to say that they recognised no responsibility for preventing a grave menace to peace or tranquillity, would any electorate or legislature wish to see them remain in office? The responsibility which rests upon Ministers in this matter, like many other responsibilities which are theirs, is not specifically defined in the Act simply because it is inherent in the very conception of that responsible Government which the Act confers.

This then is a case in which Ministers are called upon to discharge their responsibility to the Province. The problem is a complicated matter of long standing which they have had to examine conscientiously and minutely. It had none of the elements of grave and sudden emergency which would justify a Governor in seeking to impose a rigid time-limit within which he might require the advice of Ministers. In a matter of this kind it is only when their examination of the problem

has been completed and they have made up their minds at least provisionally as to the advice they propose to tender—it is only then that the Governor becomes entitled to claim as a matter of constitutional right that his view of the precise policy to be pursued should be heard and considered before a decision is promulgated. In fact when that stage was reached in relation to this particular question it was clear that I should not be called upon to take a view of my responsibilities different from that which Ministers took of theirs.

But you are entitled to know what would happen in a case of this kind if a conflict, which in spite of all efforts on both sides proved irreconcilable, were unfortunately to arise. In that unhappy event, which I refuse to contemplate as within the region of probability, the Governor's view would undoubtedly prevail, subject to his ultimate responsibility to Parliament. Ministers would thereupon become entitled to make a public statement of their position showing the extent of the conflict and how it had arisen. That is a state of things which, arising on an issue of such intrinsic importance, I should regard as a great public misfortune and which I would certainly strain every effort to avert. It would be a misfortune in its constitutional reactions. It would be no less a misfortune, I would venture to observe, from the standpoint of all those of whatever political persuasion who are anxious to see normal conditions restored as speedily as possible throughout the Province. For it is clear that a sustained and reasoned policy involving no independent action by the Governor and no divergence of opinion between Ministers themselves—a policy moreover in the pursuit which Ministers in the discharge of their duty to the Province may confidently appeal for the co-operation of prudent men among all sections of the community—it is clear that such a policy can achieve far more and achieve it more swiftly and more successfully without risk of adverse reactions than would be possible if the attempt at appeasement were so far to miscarry as to be itself a cause of tension and discord. I will not elaborate further. I plead for good-will and a sympathetic understanding on the part of all who may be called upon to pronounce responsible judgment in this grave matter.

I would only add with all earnestness and humility that I should be a happy and proud man if after five and a half strenuous and difficult years I could leave the shores of India with the confident belief that the time was not far distant when this Province of Bengal would no longer present any of the unenviable features which for more than a generation have distinguished it from other Provinces in India.

I pass now to other topics. You will shortly have laid before you by the Finance Minister the budget for the current financial year: the budget will include provision for the amounts already expended in carrying on the administration since the 1st of April last and for

expenditure required to carry on existing services during the remainder of the financial year, as well as for certain items of new expenditure indicative so far as they go of the immediate programme of the Bengal Ministry. There will also be laid before you legislative measures dealing with matters of far reaching importance. In this connection and at this moment, addressing you as I do for the first time, I cannot but be struck by the profound change that has come about in my own position as Governor with respect to these matters. On previous occasions when I have addressed the Provincial Legislature I have done so as a Governor who had had to take his share of direct personal responsibility for every measure, financial or legislative, promoted by his Government in the legislature. In the field of what were known as reserved departments the Governor had an active responsibility for the decisions of the Governor in Council: in what were called the transferred departments, however much in practice he might be guided by the advice of Ministers, the decision was constitutionally his: empowered as he was under the Act now repealed to overrule his Ministers at his discretion in any matter, he shared in theory and in fact the responsibility for their decisions. Hereafter Ministers will be solely responsible to the representatives of the people for every legislative measure that may be submitted by Government for enactment in either of the Chambers assembled here to-day. That statement, which I make without qualification, I believe to be absolutely true and it is in my view an accurate index of the extent to which responsibility has been transferred from the Governor to a representative Ministry.

In the region of finance, always the touch-stone of popular control, responsibility under the previous constitution vested in the Governor in Council whether the expenditure was to be made under the direction of a Minister or under that of an Executive Councillor: in other words Finance was a reserved subject. Under the present constitution that responsibility for finance vests in Ministers: formerly the Governor in the exercise of a personal responsibility gave or withheld his prior consent to every measure introduced by any member of the Legislative Council which affected the finances of the Province: in now giving or withholding that consent the Governor personally has no greater voice than he has in the initiation of the policy for which the expenditure is to be provided.

I know of no financial provision likely to be laid before you for which the Governor in his discretion is responsible other than that required for certain salaries provisionally fixed pending their determination by the Legislature, for the administration of the Chittagong Hill Tracts, for the Public Service Commission and for the conduct of my own secretarial business—matters which under the constitution fall outside the range of Ministerial responsibility. As regards the

provision for matters in which the Governor is required to exercise his individual judgment what I have said at an earlier stage of this address will have made the position clear.

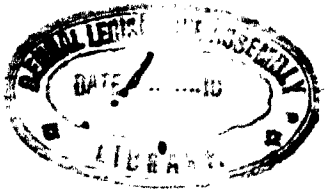
There are, it is true, items of expenditure charged on the revenues, for which Ministers equally with the Governor are bound to make provision: the obligation may arise either from the Constitution Act itself or from legislation that you yourselves may pass: but in respect of those matters, unless and until the contrary is stated, the Governor has no responsibility separate from that of his Ministers.

Members of the Assembly, before I leave the topic of finance I may perhaps appropriately invite your attention to a change in the rules and standing orders relating to financial procedure which will, I think, be of considerable interest to yourselves. The effect of that change is that there are now only two time-limits to discussion of demands for grants. There is one limit of 15 days in all set apart for the discussion of the demands for grants; the other limit is that of 2 days which is the maximum time that can be devoted to discussion of any one grant: the former power of the Governor to allocate a specific period, frequently in practice brief, for each grant has disappeared and the result is that, subject only to the limits to which I have referred, the control of the time that shall be given up to the discussion of particular demands is transferred from Government to the critics of Government. The change is intentional and the modified procedure represents a fairly close approximation to the practice of the House of Commons: it has been adopted in the hope of facilitating that responsible and discriminating criticism which in relation to the business of supply is one of the most important functions of a constitutional opposition.

There is one further matter which it may be worth while to mention: is not I think without constitutional interest and significance. Under the new Act the Governor as representative of the Sovereign comes for the first time himself a part of the legislature. There is in fact a new legislative partnership established here, to correspond with that already existing in the United Kingdom and in every one of the great overseas Dominions of the Crown, between the Sovereign and the two Chambers of the legislature. It is in this capacity, I believe, and not in his capacity as the titular head of the Executive Government that the Governor is entrusted with certain of his discretionary powers: and it is in this capacity that the Governor, when assenting to legislation, will do so in His Majesty's name. There is one departure however from the model of Westminister which may be noticed and which is perhaps the more significant because it is a departure also from the scheme of the previous Act. In England the Speaker upon election submits himself for the approbation of the Sovereign. In India too under the Act now repealed the selection of the President of a Provincial Legislature required the approval of the

Governor. That requirement no longer obtains. In practice it may make little or no difference for it is difficult to conceive circumstances in which that approval would be withheld: in England during the course of several centuries there has been I believe only one such instance. Nevertheless I feel tempted to recall the fact that at Westminster the newly elected Speaker invariably takes occasion after receiving approval of his appointment to address to the Sovereign on behalf of the Commons a plea, in words that have history behind them, but none the less retain significance in these modern days, "that the most favourable construction shall be put upon all their proceedings": recalling this time-honoured formula I cannot help feeling a twinge of perhaps purely sentimental regret that occasion for the utterance and the acceptance of such a plea should not have been provided here. That formula seems to me to sum up the relationship of mutual respect and understanding upon which the foundations of democratic Government have been laid. But whether we utter that formula or not, surely it is not too much to hope that relations between the various organs of the State in an Indian Province and between community and community and class and class may some day be governed in the spirit of that formula by a readiness on the part of each to place the most favourable construction upon the proceedings of the others. We are engaged in making a great experiment in democracy, an experiment in which many of us place high hopes. If the spirit to which I have referred prevails, I feel sure that sooner or later the experiment will be acknowledged to have been completely successful. I am on the other hand equally sure that democracy nourished on envy, hatred, malice or any other form of uncharitableness can never thrive in any part of the world. With these words I take leave of you, praying that Divine Providence may guide and direct your deliberations.

His Excellency then left the Council Chamber in procession in the same order as he came in.



THE BENGAL LEGISLATIVE ASSEMBLY PROCEEDINGS

(Official Report of the Second Session.)

Volume LI—No. 1.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 29th July, 1937, at 4 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, the eleven Hon'ble Ministers and 228 members.

Oath.

The following members then made their oath or affirmation of allegiance to the Crown:—

(1) Mr. Dhirendra Narayan Mukerji.

(2) Sir George Campbell, KT.

(3) Mr. E. O. Gammeter.

(4) Mr. J. W. R. Steven.

(5) Maulvi Mafizuddin Choudhury.

(6) Maulvi Masud Ali Khan Panni.

(7) C. E. L. Milne Robertson.

(8) Mr. Rogers Haywood.

Panel of Chairmen.

Mr. SPEAKER: In accordance with the provisions of rule 3(6) of the Bengal Legislative Assembly Rules, 1937, I nominate the following members of the Assembly to form a panel of four Chairmen for the ensuing session:—

(1) Babu Jatindra Nath Basu,

(2) Mr. Sarat Chandra Bose,

(3) Sir George Campbell, and

(4) Mr. Tamizuddin Khan.

Unless otherwise arranged, the senior member among them present in the above order will preside over the deliberations of this Assembly in my absence and in the absence of the Deputy Speaker.

Obituary Reference.

Mr. SPEAKER: Ladies and Gentlemen of the Assembly, I am sure that the House has learned with profound regret the news of the death of one of its members, Babu Gour Hari Som, who represented the Hooghly North-East General Constituency. It will be our duty to send a message of deep sympathy and condolence to the members of the bereaved family.

I would ask you, Ladies and Gentlemen, to signify your assent by rising in your places.

(Pause.)

Mr. SPEAKER: Thank you, Ladies and Gentlemen. The Secretary will take the necessary action.

STARRED QUESTIONS

(to which oral answers were given)

Process-servers of Criminal Courts.

Mr. SADARUDDIN AHMED: (*a*) Is the Hon'ble Minister in charge of the Revenue Department aware—

(*i*) that the process-servers of the criminal courts are not granted leave on average pay; and

(*ii*) that recently the Hon'ble High Court has introduced a system of appointing paid probationers for the civil courts' process-serving establishments in order to grant the permanent process-servers a month's leave on average pay in a year?

(*b*) If the answer to (*a*) (*i*) is in the affirmative, is the Hon'ble Minister considering the desirability of introducing the same system in the criminal and revenue courts' process-serving establishments?

MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) and (*b*) Yes.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state the approximate time when the system will be introduced in the civil and criminal courts?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: As soon as it is possible, Sir.

Babu NAGENDRA NATH SEN: What is the pay of these probationary process-servers?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. JOGESH CHANDRA GUPTA: Are the process-servers actively enlisting the support of the members of the Legislative Assembly?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I do not think this question requires an answer.

Debt Settlement Boards.

2. Mr. DHIRENDRA NATH DATTA: (*a*) Is the Hon'ble Minister in charge of the Department of Co-operative Credit and Rural Indebtedness aware—

(*i*) that in the districts where the Bengal Agricultural Debtors Act, 1936, has come into force many civil suits and execution proceedings have been stayed for an indefinite period by the Debt Settlement Boards; and

(*ii*) that there is no prospect of decision as the Boards have not been invested with power to make award under section 7 of the said Act?

(*b*) Is the Hon'ble Minister contemplating removing the impasse by investing the Boards with powers under section 7 of the said Act without delay?

(*c*) Is the Hon'ble Minister aware from the reports that the persons constituting the Debt Settlement Boards are competent and desirable?

(*d*) If the answer to (*c*) is in the negative, is the Hon'ble Minister considering the desirability of holding an inquiry into the matter?

MINISTER in charge of DEPARTMENT of CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) (*i*) Yes.

(*ii*) It cannot be said that there is no prospect of decision for lack of special powers under section 7.

(*b*) The question does not arise;

(*c*) I have no reason to suppose that the persons constituting the Debt Settlement Boards are not competent and desirable.

(*d*) Instructions issued have stressed the necessity of selecting suitable members; and enquiry will only be made when specific allegations are brought.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to state the number of specific cases and allegations received up till now?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I believe we have received 15 petitions up till now.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister be pleased to make an enquiry by issuing a circular letter to District Magistrates and Subdivisional Officers about the number of allegations?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I am afraid that is a request for action.

Khan Bahadur MOHAMMED ALI: Will the Hon'ble Minister be pleased to state the grounds for his statement that he has no reason to suppose that the persons constituting the debt settlement boards are not competent and desirable?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I am afraid it is only a matter of opinion.

Maulvi ABDUL BARI: With respect to (*a*) (*i*), in how many districts in Bengal debt settlement boards have been established?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Debt settlement boards have been established in all the districts of Bengal.

Maulvi ABDUL BARI: Is the Hon'ble Minister aware that no debt settlement board has as yet been established in the district of Murshidabad?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I must ask notice.

Maulvi ABDUL BARI: I have already written a letter to the Hon'ble Minister regarding the establishment of a debt settlement board

in Murshidabad, but this has not yet been done, although three months have elapsed since that letter was written. May I know the reason why?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I can assure my friend that I am prepared to make an enquiry into the matter.

Process-servers of Bengal.

3. Maulvi MUHAMMAD ISHAQUE: (*a*) Is the Hon'ble Minister in charge of the Finance Department aware—

(*i*) that the process-servers of Bengal were being given a grain compensation allowance of Rs. 2 each along with their pension of Rs. 4 since 1922; and

(*ii*) that this allowance has been stopped since the promulgation of the new Pension Rules of 1936?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of raising the pension rate of process-servers?

MINISTER in charge of FINANCE DEPARTMENT (the Hon'ble Mr. Nalini Ranjan Sarker): (*a*) (*i*) and (*ii*) The pensions of process-servers including those who had already retired were raised as a temporary measure in 1921 by Rs. 2 per month. In 1936 this increase was made permanent—

(*i*) in the case of those who retired before 31st March, 1936, by the Bengal Services (Increases to Pensions) Rules, 1937; and

(*ii*) in the case of others by the Bengal (Inferior) Services (Gratuity, Pension, and Retirement) Rules, 1936.

In other words, the increase has not been stopped

(*b*) Does not arise.

Appointment of clerks by the District Magistrate and Collector of Dacca.

4. Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing—

(*i*) the number of clerks (showing separately the number of Hindus and Mussalmans) appointed by the District Magistrate and Collector of Dacca during the year 1936;

(*ii*) during the period from January, 1937, to April, 1937 (both months inclusive); and

(*iii*) the number of such clerks that have been appointed—

(*a*) temporarily, and

(*b*) permanently?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*i*), (*ii*) and (*iii*) A statement is laid on the table.

Statement referred to in the reply to unstarred question No. 4.

Permanent.		Temporary.	
Hindus.	Mussalmans.	Hindus.	Mussalmans.
7 (including scheduled caste).	3	12 (including 3 scheduled castes).	7
1	Nil. (Out of 3 permanent vacancies from May to July, 1937, two were filled up by Mussalmans).	No new appointment was made from January to April, 1937.	

Mr. SANTOSH KUMAR BASU: May I ask the name of the officer who served as District Magistrate and Collector of Dacca in 1936?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I ask for notice.

Mr. RASIK LAL BISWAS: Will the Hon'ble Minister be pleased to state how many of the seven appointed gentlemen belong to the scheduled caste?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: One.

Mr. SANTOSH KUMAR BASU: Will the Hon'ble Minister be in a position to tell the House whether in 1936 the District Magistrate of Dacca was Mr. Tyson who is now holding an enquiry into a particular matter?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I have already asked for notice of this question.

Adjournment Motion.

Babu NARENDRA NARAYAN CHAKRABARTY spoke in Bengali in support of the adjournment motion of which he has given notice.

Mr. SPEAKER: I have admitted the adjournment motion on the question of a warning issued by the Press Officer of the Government of Bengal.

I fix Monday, the 2nd August, as the date on which the adjournment motion will be brought up, and, subject to Rules and Standing Orders, the actual time when it may be taken up I will be able to announce when the House sits on that day.

Mr. M. A. H. ISPAHANI: I have also given notice of a motion for adjournment with regard to the situation in Palestine, and I should like to know whether you, Mr. Speaker, has admitted that also.

Mr. SPEAKER: I have received notice of that adjournment motion as well, but I cannot admit it for the present.

(Point of order relating to the bye-election of a European Member of the Upper House by the European Members of the Assembly.)

Mr. SARAT CHANDRA BOSE: Mr. Speaker, I desire to draw your attention to what amounts to a very serious encroachment on the rights and privileges of the House. You are responsible for the due enforcement of these rights and privileges and, therefore, I consider it my duty as Leader of the Congress Party to draw your attention to it. You are no doubt aware that this House elects 27 members to the Bengal Legislative Council, popularly called the Upper House. In that election all members of the Legislative Assembly are entitled to take part under the Statute and if you desire me to quote authority on the point, I have it before me. You are aware that section 61 of the Government of India Act lays down the composition of the two Houses. Then I shall draw your attention to the Fifth Schedule of the Act, section 13, where you will find that the allocation of seats in the Legislative Councils of provinces having such Councils shall be as shown in the relevant Table of Seats appended to this Schedule. The next section lays down that in the Legislative Council of each province specified in the first column of the Table of Seats there shall be the number of seats specified in the second column opposite to that province and of those seats—

> The number specified in the third column shall be general seats, and in the seventh column shall be seats to be filled up by persons elected by the members of the Legislative Assembly of the province in accordance with the system of proportional representation by means of the single transferable vote.

You must have noticed, Mr. Speaker, that the section lays down that these seats—although 27 number—have to be filled by persons elected

by the members of the Legislative Assembly. There was a casual vacancy caused by the resignation of Sir George Campbell, and we find that so far as that election is concerned, the rules framed provide that only European members of this Assembly would be allowed to take part in the election. That is contrary to the Act which lays down clearly that all the 27 seats have to be filled by persons in accordance with the system of proportional representation by means of the single transferable vote. That is, I submit, a clear encroachment on our rights and privileges, and I desire to ascertain from you whether you are prepared to take steps in order to protect those rights and privileges.

Mr. SPEAKER: I frankly confess that I am not prepared to speak on the subject without reference to the relevant rules and regulations, and I cannot say offhand on a very important question, said to affect the rights and privileges of the House. I hope you will allow me some time to go into the matter, and I will certainly reply to it on Monday next before the proceedings of the House begin.

Then I have only a few observations to make I cordially welcome the hon'ble members of the House, and I trust that they will be pleased to offer me their kind help and co-operation in carrying the business of the House through. Owing to the enlarged accommodation necessary, a temporary building has been constructed, and it has not yet been possible for us to make all arrangements for the comfort and convenience of members, especially in regard to the allocation of different rooms to the party readers and groups through circumstances beyond our control. I hope we will be able to make all necessary arrangements. But in the meantime, if there is any discomfort or inconvenience, I hope hon'ble members will bear with them for some time.

There is just another matter. This is the first session of the Assembly and we have not enough experience of the nature of work and stress on the Assembly Department office. This may cause inconvenience in spite of our doing our very best, and I hope and trust that the hon'ble members will bear with the inconvenience or dislocation that may happen.

THE BUDGET OF THE GOVERNMENT OF BENGAL FOR 1937-38.

Budget Speech.

The Hon'ble Mr. NALINI RANJAN SARKER: Mr. Speaker,

Mr. SARAT CHANDRA BOSE: Mr. Speaker, is it permissible for a member to read a written composition either prepared by himself or anybody else, and ask the House to take it as a speech? I would

draw your attention to section 85 of the Government of India Act, 1935, read with rules 9 and 10 of the Rules and Standing Orders of this House. Section 85 of the Act says: "All proceedings in the legislature of a province shall be conducted in the English language:

"Provided that the Rules of Procedure of the Chamber or Chambers, and the rules, if any, with respect to joint sittings, shall provide for enabling persons unacquainted, or not sufficiently acquainted, with the English language to use another language"

That section has to be read with the Rules and Standing Orders which have been framed under section 84 (3) of the Government of India Act, 1935. Rule 9 says, if any member is unacquainted or not sufficiently acquainted with the English language, he may address the Assembly in Bengali or Hindustani, provided that the Speaker may call on any member to speak in any language in which he is known to be proficient, and rule 10 says, a member desiring to make any observations on any matter before the Assembly shall "speak" from his place, shall rise when he speaks——(mark—it does not say "shall read a written composition from his place") and shall address the Speaker. (Laughter from the Treasury Benches). I know that members on the Treasury Benches will feel disconcerted, and they will try to hide it by appearing to be amused——.

Mr. SANTOSH KUMAR BASU: They are amusing themselves at their own cost.

Mr. SARAT CHANDRA BOSE: But if they had only known a little bit of Parliamentary practice, they would admit that our rules and practices have to some extent been framed on the lines of Parliamentary practice and conventions. May I draw your attention to May's *Parliamentary Practice*, page 276 (12th edition)? There also the wording is "speaking from his place"—which has amused the members of the Treasury Benches so much.

The second paragraph says, "A member is not permitted to read his speech, but may refresh his memory by a reference to notes. The reading of written speeches, which has been allowed in other deliberative assemblies, has never been recognised in either House of Parliament. A member may read extracts from documents, but his own language must be delivered *bona fide*, in the form of an unwritten composition. Any other rule would be at once inconvenient and repugnant to the true theory of debate." (THE HON'BLE MR. H. S. SUHRAWARDY: Go on.) I find my friend Mr. Suhrawardy is very impatient in this matter, but let him hold himself in patience for a couple of minutes. So far as the rules go, I drew your attention just now to rules which provide for speaking from his place and not reading a written composition, and I am fortified in my submission by the passage

from May which I have just now read out. I submit that this practice of the Mother of Parliaments is a wholesome practice which is in accordance with the true theory of debate and I submit, you, Mr. Speaker, will give your ruling in accordance therewith.

Mr. SPEAKER: This is a very interesting point which will probably guide the future deliberations of this House. There is no doubt that the Parliamentary practice so far as the Houses of Parliament are concerned is a deprecation of a written speech. But I believe the House will agree with me that it is something like usage and practice that should be adopted. I have been a member of the previous Councils, and I have seen on every occasion that the financial statement was a printed document which was read out. I think my friends will agree with me that an ordinary speech should be differentiated from a financial statement made by the Finance Minister. This is not an ordinary speech but a financial statement, and I make this distinction, that as a statutory duty cast on the Finance Minister he is entitled to speak in introducing his budget in any manner he chooses, and, in doing so, I am only following an established convention. But I hope it will not be taken as my ruling in connection with *bona fide* speeches in future. We will try to deprecate written speeches as much as possible. But at the same time, I must make this distinction between a *bona fide* speech and a financial statement and such I think that Mr. Sarker is quite in order.

Mr. SARAT CHANDRA BOSE: May I draw your attention to a fact which you might have overlooked. There is no distinction in the House of Commons in England between an ordinary speech of a member and a budget speech by the Chancellor of the Exchequer. They are speeches and not written compositions. So far as the usage and practice of the old House are concerned, am I to understand from that you consider this House to be a successor of the old Bengal Legislative Council?

Mr. SPEAKER: Mr. Bose, I cannot allow you to question the ruling of the Chair which is that Mr. Sarker is in order. I appeal to you even though I may be wrong, not to question my ruling for the time being, because the legislature cannot function if the Chair's ruling is questioned. But you can come to me later on and discuss the matter.

Mr. SARAT CHANDRA BOSE: I am afraid you misunderstood me completely. I never pretended to challenge the ruling of the Chair. I began my last speech with these words: "May I draw your attention to——"

The Hon'ble Mr. FAZLUL HUQ: May I have your permission——

Mr. SPEAKER: Order, order. I cannot allow any further discussion on the matter. There will be no end of debate on this point if I allow you to go further.

The Hon'ble Mr. NALINI RANJAN SARKER: Mr. Speaker, Sir, as I rise to present the Budget Estimates I am imbued with a sense of the gravity and importance of the occasion. Through the vicissitudes of years and the anguish of long-deferred hopes, we have slowly emerged into a brighter day. Now for the first time in our political history a member elected by the people stands before a wholly popular and elected Legislative Assembly to present estimates for the receipts and expenditure of the Province. The recent changes which have rendered this possible constitute a conspicuous landmark on the road to our political freedom. If we are not yet the complete arbiters of our national destiny, we have become important factors in the determination of our fortunes. The fact that we are the first ushers of the change should endow us with a great sense of responsibility. Let it not be said of us that we failed to make the most of a great opportunity or that when the door at last opened to a nation's ceaseless knocking we failed to enter.

On a member from the Congress benches "Question," Mr. Speaker said:—

"Unless you rise on a point of order, you cannot question the Hon'ble Minister's statement."

Srijut MANINDRA BHUSAN SINHA: Sir, on a point of order may I enquire whether it is a financial statement or a budget speech?

On a query put by a Muhammadan member whether copies of the budget speech would be supplied to members of the House, Mr Speaker replied that it was not a point of order.

Dr. NALINAKSHA SANYAL: Sir, may I draw your attention to the rules where it is laid down that a relevant statement should be made with regard to the budget that is going to be presented to the House, and enquire whether the remarks of the Hon'ble Finance Minister are quite relevant?

Mr. SPEAKER: For the time being I think the remarks are quite relevant. The Hon'ble Mr. Sarker should go on with his speech.

The Hon'ble Mr. NALINI RANJAN SARKER: My heart is filled to-day with both pride and anxiety—pride that it should fall to my lot to be Bengal's first responsible Minister of Finance and anxiety

lest the great responsibility which my position entails should prove too heavy a burden for my weak shoulders. But I take heart from the conviction that with our increased opportunities of service will come strength, and wisdom to face our task, and determination on the part of the people to support all honest endeavours to utilise those opportunities for the national good.

Recent developments in the larger sphere of our politics are also very heartening. The decision of the Congress to accept office in the six provinces in which they have secured a majority has, indeed, come at a crucial moment. At a time when a nervous hesitation or unhelpful opposition might have robbed the country of a great opportunity, the premier political party in the country has shown that it prefers to be on the side of service and constructive endeavour. It would have been disastrous if the Congress had not risen to the occasion through wise statesmanship and political sagacity. The remedy for the deficiencies in our constitution lies not in keeping it at arm's length but in discovering and removing the obstacles that appear in our task of mass-uplift.

Dr. NALINAKSHA SANYAL: Sir, may I draw your attention to the Rules and Standing Orders and enquire if the remarks of the Finance Minister are at all relevant?

Mr. SPEAKER: It has been the practice and convention all along the Finance Member, when presenting his financial statement, to ... a general survey of the political and economic situation, and I ... all along seen that practice followed in the past. For the time ... I rule that the Hon'ble Finance Minister's speech is in order ... he goes to further irrelevancy in the matter.

The Hon'ble Mr. NALINI RANJAN SARKER: To-day I am ... to feel that all over India, the urgent problems of national ...struction are being essayed by popular Ministers in full enjoyment ...e support and inspiration of popular assemblies. If all of us now ... in step undaunted by the heavy task that lies ahead and deter... to grapple the problems that confront us, I feel sure that we ... not only succeed in achieving something for the economic welfare ...e people but also make considerable progress in our march towards political goal.

For this happy and almost dramatic turn in the political situation ...ave to thank the unerring political insight and far-seeing vision of ...atma Gandhi as well as the generous spirit and high statesmanship ...is Excellency the Viceroy. This happy denouement is, however, an isolated and unrelated phenomenon. The struggle and ...ifice of generations of illustrious sons of India form the background

of this political picture. They carried on the national struggle in the past, effected appropriate changes in its strategy and tactics and lived and died for the country's cause Revered names spring to my mind as I stand here at this significant moment in our political history—Surendranath Banerjea, Lokamanya Tilak, Motilal Nehru, Dr. Ansari —men who have left their impress on our national destiny. Here in Bengal we had our illustrious generals—Sisir Kumar and Matilal Ghosh, Bepin Chandra Pal, Aurobindo Ghose and Abdul Rasul—all of whom played a prominent role in the national struggle for freedom.

Mr. NARENDRA NATH DAS GUPTA: Is not the Hon'ble Minister further irrelevant in his remarks?

Mr. SPEAKER: I appeal to the Opposition Bench and those who are interrupting the Hon'ble Finance Minister to allow him to go on with his speech

Dr. NALINAKSHA SANYAL: Sir, should he be allowed to go on even if he is irrelevant in his remarks?

Mr. SPEAKER: I do not mean to say that there will not be an occasion when I will act almost as a puritan. But there is a limit to everything, and I hope that members will realise that interruptions, however soft and whispering they may be, have the effect of obstructing the deliberations of the House. The Hon'ble Finance Minister is making an important speech in connection with the budget estimates, and I once more appeal to the House to allow him to go on without interruption.

The Hon'ble Mr. NALINI RANJAN SARKER: And on the threshold of a new epoch in our political history, let us pause to offer our respectful homage to the memory of that great patriot Deshbandhu Chittaranjan Das whose practical idealism, dynamic personality, noble sacrifice and patriotic fervour gave such a wonderful impulse to our national struggle Nor must we forget Deshapriya J. M. Sen Gupta who knew no fear and allowed himself no respite since he entered the national struggle. Our hearts are also full at this moment with gratitude to the band of innumerable workers, most of them unknown to fame but all high in the roll of honour by reason of their selfless devotion to the national cause. We are richer to-day by the fruits of their labours. Thanks to them and to the zeal that inspired them, we are to-day in a position of great power and even greater possibilities.

But if our powers have largely increased, the task that faces us is also stupendous. To lift the masses from the depths of misery,

ignorance and poverty to which they have sunk and to help the nation to march forward as rapidly as possible to its proper political destiny are tasks which not even the most powerful Government can contemplate with equanimity. But I have always drawn cheer from the reflection that we have the strongest and purest motive behind our endeavours, namely, the progress and emancipation of the nation. If the task, therefore, is formidable, we have also a formidable reason for boldly facing the task, for it is but the task of advancing the nation. It does not indeed make our problems any easier of solution, but this thought should sustain our faith and act as a spur to our endeavours.

The task, however, is made more onerous by the legacy of accumulated obligations which we have inherited from the past. The problems that loom very large in our national economy to-day are to no small extent the result of inadequate attention given to them in the past, although the benefit of past wisdom and past endeavour is always present in some measure. As the problems all over the country are similar and equally onerous, I look forward to the prospect of a constant interchange of ideas among the responsible Ministers of different provinces. This will not only be a great help in finding solutions for some of our problems but will also pave the way for an effective tackling of many of our wider problems of an all-India character by the Government at the Centre when Federation becomes an accomplished fact. I personally feel that it is in the [illegible] national interest that an attempt should be made as early [illegible]sible by nationalist parties of every shade to get down to brass [illegible] to turn from the familiar methods of agitation and accusation to [illegible]e introspection on a national scale, to examine our resources in [illegible]nd material and to marshal them for the achievement of our [illegible]n aim.

Mr. NALINAKSHA SANYAL: Is not the Finance Minister [illegible]ing the limits of relevancy, Sir?

Mr. SPEAKER: You know perfectly well that he is perfectly in [illegible]

The Hon'ble Mr. NALINI RANJAN SARKER: The precise [illegible]t of the scope the present constitution offers, only actual working [illegible]reveal. Once the start is made, as it has been, the Ministers will need of all the help which the Legislature and the public at [illegible] can render, help which comprises not only full support where [illegible]le but intelligent criticism, wherever necessary.

It might seem that I have made a somewhat lengthy preface to the [illegible]ks which are really germane to a Budget. But it will be appre[illegible]d, I hope, that the task of a Finance Minister in a responsible

Government is not that of a mere accountant in a business house Though he is answerable for the preservation of the soundness and stability of the finances of his Province, he has the obligation to find the ways and means of accomplishing what the Legislature may accept as immediate social ends. These two tasks are never wholly reconcilable; and the Finance Minister has often to deny the one in the interest of the other. As constituting the first Assembly under provincial autonomy, honourable members are doubtless eager that the Government should lose no time in putting its hand to the tasks of nation-building and should unloose the strings of the provincial purse as freely as might be needed. I have myself, in the past, while on the benches opposite, contributed greatly to the fusillade of criticism which my predecessors of the old regime had to face. Far be it from me then to throw cold water upon the ardour and aspirations of the honourable members of this popular Assembly. But it is just as well to emphasise that it is no reflection on one's enthusiasm for popular uplift to remember, on the one hand, the immensity of the problems and, on the other, the limitations of our financial resources, and to recognise that all our tasks can be tackled only in a particular order of priorities and in conformity with our limited resources. The need then is to keep our ideals undimmed and our energies unabated during the time we carry out a rigorous examination of the conditions in which we have to work.

In the normal course the Budget for 1937-38 would have been presented during the closing months of 1936-37, but that could not be done because the new Constitution did not come into force until the 1st April, 1937. It was not possible, therefore, for the new Government straightway to have a Budget prepared and passed by the new Legislature. This difficulty was forestalled by an order of His Majesty in Council providing His Excellency the Governor with special powers by which he could sanction grants which would be necessary for carrying on the work of administration during the first few months of the transition, until a proper Budget could be framed and presented to the Legislature.

Dr. NALINAKSHA SANYAL: Sir, is it in order that the official reporters are not taking down notes? I have been noticing it for some time.

Mr. SPEAKER: It may be that the official reporters are for the time being not writing; but they are comparing the speech and taking notes of all interruptions and points of order.

The Hon'ble Mr. NALINI RANJAN SARKER: On the 1st of April there occurred not only a vital change in the constitutional position, but also considerable changes in our financial position and

prospects. We have, to a large extent, gained fiscal autonomy *vis-a-vis* the Government of India, our control over the finances of the Province has greatly increased and the actual financial position at which the new regime commences is better than it has been for many years. It is an auspicious omen that the inauguration of provincial autonomy in this Province coincides with the emergence for the first time after ten years of an appreciable surplus of revenue over current expenditure. Honourable members are aware of the reasons behind this extraordinarily long run of ill-luck; and I will not dwell on what is now a matter of history. The extent of the improvement that has occurred in our financial position as a result of the constitutional change will be better understood if we compare our present position with that during the last sixteen years under the Meston Award.

I will not detain the House with a spoken account of our difficulties under the Meston Settlement. I append to the printed copies of this speech a note which gives an account of them (*vide* Appendix I). The Meston Settlement was a source of strength to some provinces, but unfortunately it was a great handicap to Bengal. From the very beginning its consequences were felt acutely in this Province.

At the commencement of the Reforms of 1920-21 we opened with a balance of 2·72 crores. The resources left to this Province under the Award were so inadequate that this balance was speedily exhausted, ... only by measures of retrenchment and taxation was a budgetary ...librium maintained even during the period of prosperous trade that ... during 1923-24 to 1929-30. Then came the great depression which ... in 1930-31, and it brought about a complete collapse of our ...es. There were large deficits from year to year and we could ...eet such deficits by borrowing from the Centre. As a measure of *...erim* relief pending a fresh settlement under the coming Reforms ...entre voted for our benefit annually from 1934-35 a subsidy con... of 50 per cent. of the net proceeds of the export duty on jute ... in this Province. This only served to arrest the rot, and when ... w Act was passed we stood with insufficient resources, even after ...rable further retrenchment of expenditure and adoption of ... new measures of taxation. We owed at this time to the ...ment of India a heavy burden of debt amounting on the 31st ... 1936, to 4½ crores on account of overdrafts alone for meeting ...g deficits year after year.

...th the inauguration of the new Reforms, however, the situation ...undergone considerable change. Our debts to the Centre, ...ting in total to 8 crores and 41 lakhs inclusive of the deficit ...ings as they stood on the 31st March, 1936, were cancelled on ...sis of the Niemeyer Report. This has reduced our annual ...diture on interest alone by 23 lakhs; and our share of the Jute

export duty has been raised from 50 to 62½ per cent. resulting in an increase of our immediate resources by about 45 lakhs. The Niemeyer Settlement is no doubt a great improvement on the Meston Award in providing a much needed financial relief to Bengal. Even so it has not met in full the legitimate claim pressed by her for the distribution of the whole of the net proceeds of the Jute duty among the jute-growing provinces. We shall, of course, continue to press for the whole; and under section 140 of the Act the whole can be given to us either by an order of His Majesty in Council or by an Act of the Federal Legislature.

Here I must pause to acknowledge the deep debt of gratitude which this Province owes to His Excellency Sir John Anderson, but for whose understanding of our financial position and championship of our cause, the finances of this Province might have indefinitely continued in a deplorable state. To Sir John must go the credit of restoring to Bengal the rightful place and influence in the counsels of the Central Government, which she had almost totally lost after the transfer of the Imperial capital from this City. Thanks to Sir John's genuine solicitude for the progress of the Province, Bengal has come in for greater attention from the Centre in respect of her needs and requirements.

In the wake of the new Constitution have come great functional changes in connection with our finances. We used to depend upon the Centre for our Ways and Means, namely, for the maintenance of sufficient resources to meet our out-goings day by day. We are now to be responsible for our own Ways and Means. We used to bank with the Centre; now we have to bank in our own name with the Reserve Bank of India; with whom, in lieu of ordinary bank charges, we have to maintain a minimum balance of 25 lakhs. Under the old Act, we could raise no loan without the sanction of the Government of India who had authority to determine its amount and its conditions. We are now practically free agents; we need only seek the sanction of the Central Government if a loan granted by that Government is still outstanding or if we propose to borrow outside India. The old Act provided that we could not, without the previous sanction of the Governor General, impose any taxes for provincial purposes, except taxes on amusements, betting, advertisements, luxuries, succession and non-agricultural land, certain stamp duties and registration fees. Under the new Act, we have freedom over the whole field of taxation covered by the Provincial Legislative List and the Concurrent List.

Turning to the question of our freedom of making appropriations of the available revenues it will be remembered, in the first place, that while under the old Act the control of the Legislature over votable supplies was limited by the fact that the Governor's power of compelling supply extended to the whole of the wide field of what were then known

as "Reserved Subjects," under the New Act, the Governor's power of intervention in the matter of votable supplies is limited to the somewhat narrower field of "Special responsibilities" enumerated in section 52 of the Act. Under section 78 (*3*), however, certain items of expenditure, known as "charged on the revenues," are placed beyond the pale of the vote of the Assembly though on most of such items discussions are allowed and will no doubt take place in the Assembly. Apart from the salary and allowances of the Governor and his staff, such "charged revenue" embrace items like interest charges, salaries and allowances of Ministers, the Advocate-General and the Judges of the High Court, administrative expenses of the High Court, as well as items declared as so charged by Act of the Provincial Legislature such as the Dacca University, Leper Hospital, Grant to Calcutta Corporation under the Motor Vehicles Act and a grant for the new Howrah Bridge.

Dr. NALINAKSHA SANYAL: We have not got the Budget Estimate and we cannot allow any reference to it. Is it in order for the Finance Minister to refer to any page thereof and ask us to look to that page?

The Hon'ble Mr. H. S. SUHRAWARDY: He means that you will look it up when you get it.

Mr. SPEAKER: You know perfectly well that it is not a point of

The Hon'ble Mr. NALINI RANJAN SARKER: If honourable bers will kindly refer to page 4 of the Budget Estimates they will that out of a total revenue expenditure of 12·2 crores in 1937-38, amount charged is 1·7 crores and of this amount 14½ lakhs is ed on account of statutory grants mentioned above provided by ation passed by the provincial Legislature under the previous tution.

hat any part of public revenues should be kept outside the control e Legislature is, doubtless, a qualification of the principles of sentative government and particularly of the popular control of public purse; the removal of this qualification must await the ation of full self-government to which the present reforms are tedly but a step. But it serves no useful purpose to exaggerate actical significance of this limitation.

connection with the separation of our finances from those of the I may invite the attention of the House to another important e. As the House is aware, there are a variety of non-Govern- deposits which are included in the Public Account for the ation of which the State is responsible, such as provident fund

deposits, and the balances of municipal and other local authorities. These hitherto were banked with the Government of India. They now pass to the Government to whose administration they are related. With effect from the 1st April, the liabilities appertaining to Bengal have been passed on to us. But—and this is the point I wish to emphasize—we were not given the corresponding funds. Sir Otto Niemeyer came to the finding that the balances in these deposit heads were likely to grow rather than diminish, the incomings in any one year exceeding the outgoings: in other words, that the transfer of the function in question would itself bring to Bengal sufficient funds to enable her to liquidate indefinitely the connected liabilities from year to year. He therefore recommended that the balances in these deposit accounts, instead of being given to us, should be written off as a return, in part, for the Government of India's cancellation of our debt. This was done; and as a matter of some interest, I may mention, that according to our estimates we shall receive into these deposit accounts during 1937-38, 18½ lakhs more than we shall pay out of them. Thus under the new arrangement, our estimate of receipts being in excess of outgoings, we shall be in a position to meet our normal obligations in this respect, though the funds themselves have not been transferred to us. The success of this arrangement may, however, be jeopardised by a sudden increase in the extent of our disbursements unsupported by a connected income, such as might be entailed, for instance, in any drastic amendment of the Bengal Tenancy Act regarding landlords' transfer fee. The deposits so far made in respect of this transfer fee exceed 50 lakhs, and if the fee is to be abolished by an amendment of the Act stopping the income on this score we should find ourselves saddled with a liability of 50 lakhs to be liquidated in the course of five or six years, with practically no specific resources to meet such a liability. This will not only adversely react on our Ways and Means position, but will also entail an uncovered obligation to be liquidated in the course of a very short period. We shall have, therefore, to husband our resources *vis-a-vis* this new responsibility with the usual caution expected of bankers. The income is not provincial revenue available in the ordinary sense for general purposes. Nor are the outgoings provincial expenditure susceptible in the ordinary sense to retrenchment in times of emergency.

There is one more financial implication of the constitutional change that occurred on the 1st of April. In pursuance again of the Niemeyer proposals the Government of India placed at our disposal 98 lakhs to start with as our opening balance for specific purposes. In the first place, 25 lakhs were placed to our credit in the Reserve Bank, this being, as I have already stated, the minimum balance which we are required to maintain in that Bank. Secondly, we have been given 24 lakhs in cash in the Treasuries, this being the amount of loose

cash outside our banking account which has been estimated to be required for working purposes in the tills, as it were, of our treasury officers. Thirdly, we have been given an unspent balance amounting to nearly 48¾ lakhs of funds created and of grants obtained for specific purposes as indicated on page 2 of the Civil Budget Estimate.

Dr. NALINAKSHA SANYAL: May I again rise on a point of order? Is it in order for the Hon'ble Finance Minister to refer to any page, say page 2, and ask us to look up that page when we have not got the Budget Estimates for this year?

Mr. SPEAKER: I think my friend will realise that the point of order as such is one that arises out of Rules and Orders or some statutory provision. If Mr. Sarker commits a mistake in connection with Budget Estimate ten times, I cannot say that it is a point of order. It it is a mistake, it is his and not yours and you are to make your own judgment.

The Hon'ble Mr. NALINI RANJAN SARKER: The House will therefore notice that the whole of our opening balance of 98 lakhs is earmarked for specified purposes. It has been given to us to meet certain definite liabilities.

According to the customary practice, I now pass on to review the accounts of three years—the year 1935-36 for which the accounts have been closed, the year 1936-37 which has closed but for which only revised estimates are available and the current year for which I present the budget estimates to-day.

The Year 1935-36.

The year 1935-36, according to the budget estimates, was to have closed with a revenue deficit of about 68 lakhs. Actually it closed with a deficit on revenue account of 4 lakhs. Expenditure was below estimate by 19 lakhs, while receipts were 45 lakhs above estimation and 1¼ lakhs above those of 1934-35. "Stamps" contributed 10 lakhs of increase, Betting and Amusement taxes, one lakh, Electricity duty and Tobacco tax, 16 lakhs, Jute Duty, 9 lakhs. The improvement was due partly to the new taxation measures adopted in 1935, but mainly to economic recovery.

The Year 1936-37.

The revised estimate of receipts on revenue account for the year 1936-37 is higher than the original by 44¼ lakhs. "Land Revenue" is higher by 17 lakhs, "Stamps" by 10 lakhs, "Jute export duty" by 9 lakhs

and "Famine Relief Fund" by 9 lakhs. The growth under "Land Revenue" (nearly all under arrear collections) and under "Stamps" and "Jute" is due to sustained economic recovery. The growth under "Famine Relief" is not really an improvement; for it represents increased withdrawals from the "Famine Relief Fund" in order to finance expenditure on the relief of agrarian distress. The revised estimate of receipts on "Capital Account" is 42 lakhs lower than the original estimate. The difference occurs under borrowings from the Government of India. It was originally proposed to borrow 87½ lakhs—51½ lakhs to finance some capital projects and a number of loans to local bodies and 36 lakhs to cover an expected deficit of that amount on the whole of our account for the year. Owing mainly to the inability of various local bodies to take their loans, and partly to the improvement in revenue receipts, this estimate of 87½ lakhs drops to 45 lakhs in the Revised Estimate. I am glad, moreover, to be able to report that, from figures recently to hand, it is now almost certain that the account for 1936-37 will balance without our having to take any loan from the Government of India.

The estimate of expenditure in 1936-37 on both "Revenue" and "Capital Account" was originally placed at 13 crores. Supplementary grants to the extent of 47½ lakhs were voted during the year, raising the amount available for expenditure to 13 crores 47½ lakhs. Against this the revised estimate is placed at 13 crores 25 lakhs. The savings are due mainly to smaller expenditure on "Capital projects" and on "Loans to local bodies".

The Year 1937-38.

I now come to the estimate for the current year.

Receipts.

On the "Receipts" side, we expect a total revenue of 12 crores 55 lakhs. This marks an improvement of 60 lakhs over the revised estimates for the previous year. I may point out at once that 45 lakhs out of this 60 are due to the 12½ per cent. increase in our share of the export duty on jute. For the remaining 15 lakhs the estimate has been framed on the basis of an expectation of larger yields from "Stamps," "Excise" and "Land Revenue". It is hoped that the economic recovery which was visible last year will maintain its progress throughout the current year and enable these heads of revenue to make a better showing. And so an improvement of 3 lakhs has been provided for under "Stamps" of another 3 lakhs under "Excise". Under "Land Revenue" we expect our improvement of 6 lakhs owing to heavy settlement recoveries.

A glance at the Civil Estimates will show that our three biggest heads of receipt are "Land Revenue," "Stamps" and "Customs"—the last head representing our share of the export duty on jute. As in 1936-37, our receipts from "Land Revenue" are still swollen by the collection of arrears; but these are likely to drop to some extent after arrears have been realised.

In regard to "Stamps" the estimate is bound to be conjectural to some extent, as an accurate estimate has not yet become possible in respect of our receipts under the "Bengal Agricultural Debtors Act". The net financial effect of the Act on Government revenue cannot yet be clearly foreseen, and it is just possible that the realisation of Stamp revenue under this Act may synchronise with a fall in Court fees realised in Civil Courts. The Government are, however, keeping a careful watch over the working of the Act.

As for the revenue from the export of jute, the provincial share depends on the total export duty collected by the Centre. This total has in the past fluctuated between very wide limits even in periods of comparative stability of trade conditions; but I see no risk in assuming for the purpose of our estimate that the total yield this year will be the same as in the previous year.

The estimate of receipts for the current year includes a sum of 30 lakhs representing the proceeds of certain additional measures of taxation which were introduced in 1935, viz., the Indian Stamp (Bengal Amendment) Act, the Court-fee (Bengal Second Amendment) Act, the Local Amusement Tax (Amendment) Act, the Bengal Tobacco (Sales Taxing) Act and the Bengal Electricity Duty Act. These measures are due to expire in 1938; and I must inform the House that unless they are renewed in time, there will be a substantial fall in our revenue in 1938-39.

Adjournment.

(At this stage the House was adjourned for 15 minutes.)

After adjournment.

Mr. NALINAKSHA SANYAL: Mr. Speaker, before the Hon'ble Marker resumes his speech, will he be pleased to——

Mr. SPEAKER: Is it a point of order?

Mr. NALINAKSHA SANYAL: It is not a point of order, Sir, but a point of procedure.

Mr. SPEAKER: It does not seem to be a point of procedure either.

Mr. MANMATHA NATH ROY: On a point of order, Sir. Was it not the practice some years ago in this House to supply a copy of the Budget Estimates and of the speech before the Finance Member began his Financial Statement?

Mr. SPEAKER: Order, order. I hope hon'ble members will kindly not obstruct the Hon'ble Finance Minister in his speech and let him go on with it. Hon'ble members know very well—and I think my friend Mr. Roy too knows very well as he was a member of the old Bengal Legislative Council—that copies of the Budget Speech of the Finance Member and of the estimates were never supplied to members till the Budget speech was over, but that they were supplied only after the speech.

The Hon'ble Mr. NALINI RANJAN SARKER: Let me now resume my speech, Sir.

EXPENDITURE.

I next turn to our proposals for expenditure.

We provide for an expenditure on "Revenue Account" of 12 crores 21 lakhs which is 29½ lakhs more than the Revised Estimates for 1936-37. This, however, does not fully indicate the improvement on the expenditure side. The Revised Estimates for the last year embrace items of expenditure which do not recur in this year's estimate. The most important of these are 12 lakhs for the reduction of debt, 39 lakhs for interest charges, and 8½ lakhs for the last general election. If due allowance is made for these, it will be seen that we propose to spend on revenue account 89 lakhs more than what we spent last year under normal heads. This increase is accounted for in Appendix II attached to the printed copy of this speech.

Dr. NALINAKSHA SANYAL: On a point of order, Sir. The Hon'ble Minister is again referring to a statement in the printed copy of his speech.

Mr. SPEAKER: It is not a point of order.

The Hon'ble Mr. NALINI RANJAN SARKER: A special reference may be made to such increases in expenditure as have been entailed by the constitutional changes. The enlargement of the legislature and the addition of an Upper Chamber have involved an additional expenditure of 1½ lakhs and the setting up of the Public Service Commission, about 1 lakh. The new Reforms have also imposed on the provincial revenues a liability for expenditure to the extent of 16 lakhs on account of interest charges on State Provident Funds.

My honourable colleagues will in due course explain the details regarding the demands for grants relating to their respective departments. They are set forth in detail in the Finance Secretary's Memorandum which will be circulated to you in a minute. I would like to point out, however, that the Budget has had to be got ready within the very short period of two months. In order to present it in July we had to frame it early in June. We have, however, tried to do what little could be done within this short time and endeavoured to do something in most of the beneficent departments, and I hope that in judging our performance honourable members will remember our handicaps. If it has not been possible to take up any elaborate schemes in respect of some of our grave economic problems, it is only because we have not had the time at our disposal for that careful and minute investigation which we consider essential for undertaking the execution of such schemes. It is not difficult to suggest a scheme which is theoretically sound. But it has, in the first place, to be examined and tested against a background of given conditions; and, in the second place, it has to be considered not in isolation but as a part of a definite and comprehensive economic policy relating to our social and economic life. Its implications have to be clearly realised and its details fully worked out before it can be incorporated in a Budget.

We have provided for increased grants to Universities and other educational institutions. (Hear! hear!) Both the Universities of Dacca and Calcutta made demands for larger grants to extend their activities, and the estimates provide for an additional grant to them of about [illegible] lakhs. The University of Viswabharati at Bolpur, which plays a significant rôle in our educational system, and has helped to bring India and the outside world into closer cultural contact, has also received some measure of assistance. A larger grant has been provided for the Islamia College. The needs of technical education for the backward classes have also received attention. Enhanced provision has been made for primary education. Agriculture and industry have received additional grants of 1½ and over 2 lakhs respectively. This money is intended to finance an agricultural institute at Daulatpur, a dairy farm at Dacca, and developments of handloom and sericultural industries. Provision has been made for the extension of rice research, for a grant to the Industrial Credit Syndicate and for an enquiry into the development of fisheries. Co-operative credit will receive an additional grant of 7 lakhs.

The additional provision under the head "Medical" is 2½ lakhs. The actual increase under "Public Health" amounts to 7 lakhs. This increase is partly accounted for by enhanced provision for rural water-supply (1½ lakhs), additional quinine grants (60 thousand) and kala-azar charges (30 thousand). We have also made an additional provision of 1½ lakhs for more public health units in rural areas, and of 1 lakh for grants to sanitary and drainage schemes.

Under "Civil Works" a very substantial increase in expenditure has been provided for. Special mention may be made of the provision for an expenditure of nearly 30 lakhs in the current year in excess of what was spent last year on road development, buildings and improvement of communications. The Government have been examining the feasibility of capitalising a portion of the Provincial share of the Road Fund with a view to execute all the approved schemes of bridge construction with the least possible delay.

I would draw the attention of the House to certain projects taken in hand by the Government as being of special importance to the irrigation and waterways problems of West and East Bengal. The survey in connection with the Damodar-Hooghly flushing scheme, as provided for in the Budget is alone calculated to cost 1½ lakhs. This scheme together with expansion in the operation of the Bengal Development Act will, it is hoped, go a long way to meet the irrigational needs of West Bengal. It has, again, been proposed to establish a Waterways Board under the Bengal Waterways Act, 1934, and 1½ lakhs have been provided for making a beginning. The Board, it is hoped, will help towards an effective tackling of the inland waterways problem of East Bengal. Provision has been made for the electrification of Government buildings in the mufussil districts. This is a measure which will be of great help to mufassil electric supply companies.

With a view to extend the operation of the Bengal Agricultural Debtors Act throughout the Province, an additional sum of 14½ lakhs has been provided for the establishment of debt conciliation boards in all the districts. A sum of 28 thousand has been provided for the constitution of a Labour Department, the utility of which will, I hope, be readily appreciated by the House.

The estimates also include a sum of 50 thousand for the appointment of a Commission for making an enquiry into the system of land revenue administration in this Province.

The estimates contemplate that the year will close with a surplus on revenue account of nearly 34 lakhs this year.

I have given in bare outlines the Budget proposals for 1937-38. It will be clear that the year immediately preceding the introduction of the new Reforms makes a better showing than apprehended. While it was feared that 1936-37 would reveal the same tale of deficits and borrowings from the Centre as had almost become the order of the day, we were able to balance the Budget without incurring further obligations. And 1937-38, the first year of the new Reforms, synchronises with a substantial improvement in our financial position. For the first time in a decade we are on the right side of the Budget

by the not inconsiderable amount of Rs. 34 lakhs. And if we take into account the opening balance of 98 lakhs, the increased expenditure of 89 lakhs and the surplus itself, it will be seen that the improvement in our finances, though not of course in our recurring income, may be computed at over 2 crores. This is a position from which a Government circumstanced as we are should feel happy to make a start.

But, I may freely admit, that our means are still far from adequate for the needs of national reconstruction. At this stage it is obviously my duty to enable the House to appraise the resources of the Province, as they may be expected to be in the coming years, from the standpoint of our requirements. I shall endeavour, first, to specify the main tasks that lie ahead of us, to clarify the Government's approach towards their solution, and to indicate the resources which we are likely to have in the future for these purposes. From the nature of the stupendous task confronting us and on account of the limits of our available resources it will be evident that we shall be called upon to follow a certain consecutiveness in the matter of tackling our problems, and it would be as unwise as it would be inexpedient to refuse to recognise this fact and to be either over-zealous or unnecessarily diffident. For some years to come it may not be possible to take up simultaneously or to the full extent all the problems of our national reconstruction, but I hope it will not be very long before we shall be in a position to prosecute a comprehensive programme with profit and success.

It will be generally agreed that in all the ameliorative measures which the Government of the Province will take in hand, the main, if not the sole, objective should be the betterment of the condition of the masses. Let me add in fairness that in making the masses the beneficiaries of Government's solicitude, the classes will be showing not so much a selfless altruism as an enlightened self-interest. For whether in the political or economic or cultural sphere, our progress is hampered by the fact that our national life is muddied and poisoned at its fount by the backward condition of the masses. The need then is to resurrect the average man who in this predominantly agricultural country is a cultivator. I would like to stress here the necessity of viewing our problems against a human background. We should always remember that behind a nation's problems is the nation itself. Were our problems, whether social or economic, merely a conglomeration of absolute and unrelated questions, human artifice would surely have been able to provide solutions by this time. Science would have made our soil richer, improved methods would have made our industries more economic and remunerative, legislation would have provided for better prices, we could with one broad sweep of our legislative arm wipe out our indebtedness and arrange for adequate credit. But the fact that our problems do not yield to such simple treatment proves that an intangible and subjective factor enters into our calculations.

For, behind the plough is the man with the plough, with his ignorance and his superstitions, his crusted traditions and his rusted implements, his thriftlessness and his tragic fatalism. At present the agriculturist is illiterate, steeped in debts, handicapped by a land system which is by no means the most scientific, a victim of disease and pestilence, a stranger to modern scientific methods of cultivation or marketing. If agriculture is a crucial problem in our country, the agriculturist is an even greater one. We should never, while looking at the crop, forget the pathetic figure behind the crop.

As we all know, Indian agriculture, never very prosperous, fell on evil days during the depression; and even to-day when the revival is believed to be three or four years old, the life of the agriculturist in India continues to be one of great hardship. What is true of India as a whole is even more true of Bengal. And her disproportionate dependence on one agricultural product, namely, jute, has made her more susceptible to the fluctuations of world trade.

Though agriculture is the mainstay of our people, the cultivator too often finds his occupation unremunerative under present conditions. Such sporadic economic enquiries as have been conducted suggest that the price of the product often fails to cover the bare costs of production and does not yield sufficient return even for the low standards of living of the masses of this country. The cultivator is in fact the weakest link in the economic chain. And due to this penurious state of the workers in the biggest industry of the land, the co-operative movement, which depends primarily on the credit-worthiness and solvency of the cultivator, has made conspicuously little headway.

Nor have industrial and commercial activities provided the much-needed relief against the uneconomic pressure on land. This has been due to a large extent to a traditional preference for investment in land on the part of those who by virtue of their resources should have taken the initiative in industrial and commercial enterprise. The opportunities of industrial development have therefore been more readily seized by more enterprising immigrants from other provinces. Even so, there is still a conspicuous lack of balance between agriculture and other aspects of our economic life.

This lack of industrial enterprise has necessarily narrowed the scope for employment, particularly for the educated middle class. The existing factories have not been able to absorb any substantial proportion of the surplus agricultural population of this province, not to speak of the middle-class unemployed. This is due not only to the inadequate number of factories but also to an aversion to vocations other than the traditional ones. Our factories are therefore in many cases manned by imported labour.

The condition of industrial labour also is very depressing. They suffer in most cases from the same economic ills to which the agriculturists are exposed and are by no means the healthiest factors of production in our economic life.

[It is against this background of our economic life that our policy has to be formulated. The primary condition of our economic progress is the restoration of the cultivator to the position of an efficient and solvent factor of production. The efficiency depends on the extent to which we are able to release him from his present handicaps and to better equip him for the improvement of his condition. And his solvency can only follow the provision of adequate relief from the various burdens weighing on him. And for positive progress, it is largely a question of enabling him, by providing the necessary instruction and material equipment, to increase the productivity of his labour.

As I have already said, the improvement of the human material is the foremost task before us. The remedy which readily suggests itself is the adoption] of free and compulsory primary education. The circumstances in which the Primary Education Bill of the late Mr. Gokhale was introduced in the old Imperial Legislative Council and rejected by the Government and the consistent failure subsequently to tackle this problem have created the feeling that the foremost task of an autonomous provincial government is to introduce a system of free and compulsory primary education. While I should be the last to acquiesce in the continuance of the present mass of illiteracy, which is justly regarded as a reproach to our national self-esteem, I feel that schemes for primary education need to be supplemented by other measures if we are to get any early results. We can leave aside for a moment the question of cost. Judging it in terms of human values we must realise in the first place that the direct effect of the immediate adoption of free and compulsory primary education is the creation of mere literacy in the adult population of two decades later.] While such literacy will not have gone a long way to improve the cultural standards or the productive efficiency of the masses, there will remain in the meanwhile a prodigious mass of ignorance and many-sided backwardness in the adult population of to-day to be liquidated. This will act as a stumbling block to our progress in every sphere and particularly to the success of our attempts to increase the efficiency of the worker. Let it not be forgotten that if we do not devote sufficient attention to those sections of the population which are now engaged in productive activity, we shall to that exent be handicapping ourselves in future progress. In the conditions of two decades ago, the progress of the masses, no doubt, depended on providing primary education and providing instruction through the printed word. But to-day broadcasting and visual representation of movies and even talkies provide us with the means of educating even an illiterate adult population in

all matters essential to a healthy social life. I say, therefore, let us by all means make our best endeavours to remove the handicaps on the children of to-day and the slur on our national self-respect. But let us at the same time throw ourselves heart and soul into the task of sweetening the lives of those whose outlook, economic and cultural, has been darkened by the sad omissions of the past. After all, education is not so purely a matter of the three R.'s, and very fruitful results can be achieved in dealing with our practical problems by means of such educative propaganda as I have just referred to.

For my part, I attach the greatest importance to the pursuit of a properly drawn up scheme of popular propaganda and look to it to increase the effectiveness of the ameliorative measures which we may propose to adopt. I may inform the House that both the scheme for free compulsory primary education and a scheme for the setting up of machinery for conducting educative propaganda amongst the masses are receiving very careful attention of the Government.

One of the gravest problems that needs to be immediately tackled relates to the relief of agricultural indebtedness. We have already made a beginning in this direction and I envisage the prospect of conciliation of debts being accomplished within the space of a year or two through a net-work of debt conciliation boards set up throughout the Province. These boards, according to the provisions of the Bengal Agricultural Debtors Act, are intended to scale down the amount of the debts to comparatively manageable proportions and the debtors are given the facility to pay such composed debts by easy instalments. The relief proposed to be given will not, however, yield any permanent results if steps are not taken at the same time to prevent the raiyats from relapsing into the same hapless state through incurring further unproductive debts. And they will also have to be provided with proper credit facilities for their long-term and short-term requirements. How best such facilities can be given—whether through co-operative credit societies or land mortgage banks—is receiving the careful consideration of the Government. The Government are also considering if it would be possible to include the village money-lender in the scheme of supplying rural credit which may eventually be adopted. His methods hitherto have not been always above-board, but it cannot be denied that he has played an important role in supplying credit to the rural population. He belongs to a class which is of considerable importance and if after proper reform of his methods and outlook he can be induced to form part of a scientific machinery for the supply of rural credit, this would greatly facilitate the solution of the problem. This aspect of the question is also receiving the attention of the Government.

The incidence of land tenure also constitutes a hardship for the agriculturist. Our land system is so complicated and unsuited to the

changing conditions that there is a country-wide demand for its revision. The Government are fully aware of the urgency of the problem and the Hon'ble Minister for Revenue will shortly introduce a Bill for removing the most pressing disabilities of the tenants. But a comprehensive and scientific revision of our land system will naturally require very careful investigation and it is proposed to set up a Commission to go carefully into various aspects of the question such as the effect of the system of sub-infeudation on economic holdings, the incidence of rent payable by the agriculturist, the narrowing down of intermediary interests, the possibility and methods of State acquisition of proprietary interests through the grant of compensation and various other allied questions.

Dr. NALINAKSHA SANYAL: Sir, on a point of order, may I enquire if it is permissible for the Hon'ble Finance Minister to refer to the probable activities of different Ministers in the course of his Budget speech?

Mr. SPEAKER: It is very difficult to carry on the work of this House if such constant interruptions are made. I have repeatedly told the House that I have been carefully following the speech. So far as I have heard it is quite relevant, because the Permanent Settlement Commission in itself may not affect the finances of the province, but it affects the general economic condition of the tenant and the zamindar and as such ultimately affects the economic outlook and I, therefore, hold that it is perfectly relevant. I appeal to my friend that he will not interrupt the Hon'ble Minister further.

The Hon'ble Mr. NALINI RANJAN SARKER: I realise, however, that the problem that is of paramount importance to the cultivator is the improvement in the prices of agricultural commodities. There is perhaps an expectation in the minds of the people that the establishment of popular Government will help to raise the level of prices. But I would like you to realise that a provincial Government's powers in this respect are very limited. Apart from the fact that agricultural prices depend on world conditions we have not in the provinces the power to adjust such factors as currency or tariff which may level up the level of internal prices. These matters are, as you know, under the purview of the Central Government. To some extent, however, that it may be possible to stimulate prices through improved methods of production, better marketing facilities and financing the holding power of the raiyats, I can assure honourable members that these questions are receiving the most anxious consideration of the present Government.

I have no doubt in my mind that when the ground is prepared by the revision of agricultural debt and tenancy laws and the cultivator is rescued from his present penury and educated into new habits of thrift and prudence, there will be a happy metamorphosis of our economic condition, and most of our problems will become much easier of solution. But for this it is necessary to instil into the minds of the people the true spirit of co-operation and to rouse them to a sense of enlightened self-interest. Awaken the people to a sense of intolerance of dirt and disease, of poverty and idleness, and there will be forthcoming co-operative effort of a purely spontaneous kind to accomplish work that is of benefit to the community as a whole. Marshes can be filled, mosquitoes killed, waterways cleared, embankments repaired, squalor removed, all by the voluntary efforts of the community thus greatly lessening the need for money payments. In a country in which surplus labour is the most conspicuous form of wealth and land is almost the only form of capital, to be obsessed unduly with the ideas of a money economy is to be imprisoned in a vicious circle which it is impossible to break. In a country where nature is so bountiful, improvement in the standard of living of the people does not necessarily depend wholly on the money income. Intelligent use of our natural resources and properly disciplined self-exertion can materially improve the conditions of life of the agricultural population, particularly in regard to the primary necessaries of life. Better food is not necessarily costlier food in this country and if the farmer is properly educated to recognise the value of healthier physical and social conditions, he will be able to a considerable extent to help himself even though his money income does not immediately improve.

It is to these ends that our efforts and our resources should be directed in the initial stages. When the raiyat, who forms the backbone of our economic system, is converted into a more potent factor of production, the chief source of our national revenue will have been strengthened and we can then look forward to greater prosperity and progress. With a large agricultural population in possession of an increased purchasing power, the products of industry, big and small, will find a readier and a more remunerative market within the country and the national economy, with a balanced industrial and agricultural activity, will find and preserve its equilibrium with a steady and rapid increase alike in production and consumption. The unemployed would be slowly absorbed in various kinds of productive and distributive activity in the sheer momentum of economic progress.

May I say a word here regarding labour which in the rapidly expanding conditions of to-day is everywhere receiving more attention? We have also set up a separate portfolio for labour and the Hon'ble Minister in charge is impressed with the necessity of creating some

machinery for safeguarding the interests of the workers. The Government have accordingly decided to appoint a Labour Officer and other officers to look after the welfare of the labourers. A careful investigation will also be made into the mode of life and standard of living of the labourers and efforts will be made to raise it. The Government will also encourage the growth of trade unions along healthy lines for through such associations and co-operative efforts are the interests of the labourers best secured.

But may I sound a note of warning here against the evil of creating disaffection amongst the labourers and making them resort to strikes on slender grounds? Strikes are no doubt useful weapons in the hands of labour for ensuring the right of collective bargaining. But if abused, strikes cease to become a privilege. Those who induce labourers to go on strike on the slenderest of occasions are helping to make them exhaust the finest weapon in their armoury for very trivial purposes, and when a big occasion comes, their strike will be taken less seriously than if it were reserved for very special circumstances. Besides, frequent labour trouble acts as a drag on industrial expansion. In Bengal where industrial capital is already very shy, it has a tendency to further frighten capital away from avenues of industrial investment. And if industry does not expand, how are the labourers going to benefit?

I may also take this opportunity of impressing on employers the ...d of recognising the legitimate rights of labour. They can no longer ...ain indifferent to the demands of the labourers—when such demands ... neither exorbitant nor unreasonable. The conditions of labour have ...e improved, and it is useless for employers to remain wedded to the ...tude of mind of two decades ago.

I now turn to the problem of educated middle-class unemployment ...h is doubtless exercising the minds of most honourable members ...his House. We are all familiar with the hardships which the youth ...his Province have to undergo at the threshold of their careers; and ... would deny that everything that is possible should be done to ...viate their suffering? Middle-class employment, it will be evident ... little reflection, is not in the same sense productive as the work of ...rmer or a factory hand. The expansion of commercial activities is a ...requisite of the creation of the work of a clerk or a supervisor or any ...r jobs such as our middle-class young men seek. It is often said ... unemployment is due to the academic nature of the present-day ...ation and that vocational instruction and the provision of technical ...oing will reduce the evil. The presence of a large number of young ... with a high technical training among the unemployed is a standing ...tation of that view. It is necessary to clearly understand the ...tion of Government in this respect. The Government by the ...ansion of their beneficent activities according to their resources

can no doubt give employment to some of the unemployed but not to an extent likely to absorb even a fraction of the vast number of unemployed educated youth. The expansion of governmental activity in any direction must necessarily mean more employment. Thus if free primary education is introduced or technical education extended or public health organisations expanded, this will in every instance mean the employment of a fairly large number of young men. Apart from such direct help, however, the Government can also help to enlarge the avenues of employment by undertaking public works on a larger scale. As a matter of fact the Government are considering many such schemes. But while this would undoubtedly lead to better opportunities for employment, there should be in the Province an adequate machinery through which the expansion of State activity would be reflected in benefits accruing to our unemployed young men. If, for instance, the Government decide to build a number of bridges or construct more roads, buildings and canals, etc., the full benefit will not accrue to us if the award of the contract has to go to any firm outside Bengal, or if we have to get our labour from one province, our skilled artisans from another and other employees from somewhere else. I may mention in this connection that there is too often an unreasonable prejudice in the minds of our people against certain classes of work. One has only to think of the many avenues of employment even in the existing conditions which Bengal has virtually thrown away to the people of other provinces to realise how our whole attitude to work needs a speedy and a radical revision. The change can be brought about only by careful propaganda and this is but another instance to bear out the importance which I have all along attached to propaganda. I may tell the honourable members that the Government are considering the appointment of an officer to investigate thoroughly into the question of the opportunities offered by the various channels of employment which are now occupied by men from other provinces and to see what help the Government can render to gradually fit our young men for such occupations. The Government can also help to widen the scope of employment by stimulating industrial and trade activity. Ultimately the solution for unemployment must be in an expansion of the economic activities of the country. The State, can, of course, give an impetus to such an expansion through provision of technical advice, direct assistance to small industries, cheap capital and in various other ways. When industrial activity expands it will help to absorb both surplus agricultural labour and middle-class unemployment. The Government can also help national industries through a policy of local purchase and preference for indigenous goods. It is under our contemplation to do so on a larger scale. We can also press the Central Government for a legitimate share of the benefits that must accrue from their policy of stores purchase and public works. And we are carefully considering what part of the Government of India's

requirements we can produce and supply from Bengal and how such a scheme can become practically effective. In order to reap the full benefit of all this, however, it is necessary that there should be adequate economic machinery in the country to cope with the increased opportunities thus afforded. The Government are also considering whether the army can afford a profitable avenue of employment for the young men of Bengal and how to persuade the Government of India to give them such opportunities.

I have digressed a great deal from the main purposes of a budget statement. But my aim is to show that our problems call for the greatest circumspection at each step and that it is only by ensuring one basic condition after another that real progress can be achieved. It is not a question merely of a definite outlay of funds in each project, and on each objective that excites our sympathies. The magnitude of our problems is naturally in direct proportion to the intensity of our poverty. To appreciate this inter-dependence and to adjust from time to time our ends to our means and the means to the ends are to my mind the essence of practical wisdom.

It is true that for the stupendous task of national reconstruction that awaits us our resources are very inadequate. I do not, however, wish to strike a note of despair. On the contrary, I believe that with our present resources and future expectations we can make a fair start in various directions. I would like to emphasise the brighter side of the picture in my statement to honourable members.

There are three directions in which ameliorative measures are most ...nt but at the same time very expensive. The first of these relates ...ompulsory Primary Education throughout the Province; the second ...ns improvement in irrigational facilities which is mainly neces... for Western Bengal where productivity of land has greatly deterio...; and the third relates to the improvement of inland waterways ...ularly in districts of Eastern Bengal. For the financing of ...ts in these three directions we have the benefit of special *ad hoc* ...ation. The relative Acts, contain provisions for the raising of ...ne taxation for these purposes and these beneficent projects will ... is expected, involve too big a drain on the normal revenue. It ...e seen that such direct and immediate benefits will accrue to the ... as a result of these projects that these specific taxes should not ...very burdensome. Specific taxation has also the added advantage ... is earmarked for specific purposes which in these instances con... beneficent measures and the proceeds cannot be diverted to the ...l needs of the Government even in times of difficulty.

...e five taxation measures adopted in 1935 which are due to expire in ... will, I hope, be renewed in time. They would increase our ...ing revenue by about 30 lakhs, which would greatly help the ...sion of the beneficent activities of the Government.

The estimate of expenditure includes more than half a crore on account of measures taken both as a cure and as a preventive for the anarchist movement. Of this amount more than half is accounted for by the additional staff in the Police and Jail Departments. It can be reasonably hoped that it may be possible to reduce the expenditure considerably under this head within the course of a year or two. Even if all political prisoners could be released at once, that would not give us an immediate saving of Rs. 54 lakhs. For, the release of detenus is not identical with the complete disappearance of subversive movements, and for some time after such release can be effected, the additional machinery may still have to be maintained to a certain degree to meet the possibility of recrudescence of the terrorist movement or the appearance of other subversive movements. But eventually with an improvement in the position, it may be possible no doubt to effect a saving of nearly the whole amount. But I would at the same time set off against this saving a liability which we cannot ignore. It may prove profitable to spend a portion of this saving on Students' Welfare movements as a more radical antidote to the canker of subversive influences.

Over and above all this is the prospect of our getting a share of the Income-tax Revenue from the Central Government under the Niemeyer scheme as a result of the improvement in Railway finance. It is perhaps too soon to count with any certainty on a surplus in the Railway Budget available for appropriation by the Central Government as the contribution of the railways to the general revenues. But we may note with special gratification the signs that are of late visible of genuine improvement in the railway earnings.

And last but not least it should be remembered that we have to explore new sources of taxation, which, though they do not suggest themselves in concrete form, are essential if we are to give effect to a planned programme of national reconstruction. We cannot make bricks without straw; nor can we undertake the stupendous task of national uplift with slender means and a taboo against any increase of taxation. We have, of course, to frame our taxation proposals carefully with due regard to their incidence and impose it only on those who can shoulder an additional burden. I have no doubt that honourable members, eager to implement their promises to the electorate, will offer their full measure of support.

While I have endeavoured, as in duty bound, to make clear the limitations of our financial position, I must also point out that we are not altogether thrown on our own resources in one or two specified matters. Thus for the construction of roads and bridges with a view to improve communications we can expect subventions from the Central

Government which together with the proceeds of the Motor Vehicles Tax would prove fairly sufficient for the improvement of our road communications. Likewise, for rural reconstruction, Bengal, will receive a contribution of 6 lakhs a year from the Centre for the next three years. It is no small advantage that we are now starting with a clean slate with no loans outstanding and no interest charges forming part of our normal recurring expenditure. As soon as we are assured of an adequate recurring surplus on revenue account, we shall be in a position to raise loans of some magnitude to finance comprehensive schemes of national welfare.

Sir, I have nearly done. I am afraid I have presumed considerably on the patience and tolerance of honourable members. But I felt that at the commencement of the new epoch we should have a clear idea of the changes that have taken place, the problems that lie ahead and of our resources in money and material with which to face the task. I hope that honourable members have been able to form some idea of the position and liabilities of the new Government, of the problems it seeks to solve and the policy it proposes to pursue. Only when we know exactly where we stand can we resolutely commence the forward march towards our goal.

I take this opportunity of making an appeal to the members of the [illegible]vices, both Indian and European, who form the main limb of the [illegible]inistration and on whose efficiency and loyal co-operation the [illegible]ss of the whole Government very largely depends. On us, the [illegible]nsible Ministers of the Government, will undoubtedly fall the [illegible]rs and frowns of the country for the policy which we adopt, but them, to a very large extent indeed, will rest the successful carry-[illegible]out of that policy. This will be true in a special degree of the [illegible]r or superior services. I am moved to make a particular appeal [illegible] European members of those services. I would ask them to feel they share with us a sacred trust. If India is the land of our [illegible], it is no less the land they have chosen to serve. I am confident the national aspirations which guide us in our endeavours will [illegible]ve at their hands due honour and unflinching support, and that a [illegible]al posterity will never have occasion to say that as self-Govern-[illegible] came to India through the door, the ardour of the European [illegible]bers of the services fled through the window. We, in our turn, [illegible]ssure them along with all other Government servants that so long [illegible]y place at the disposal of the new Government the high order of [illegible]e and efficiency which they have rendered in the past and help us [illegible]nistratively to translate our policy into action, they will always [illegible]omplete trust and all possible protection from the Provincial [illegible]nment. I may add from the experience I have gathered in course [illegible] first few months as a member of the new Government through my

contact with several members of the higher services that they have given evidence of an excellent spirit both in the districts and in the departments of the Secretariat, and I am happy to bear testimony to the ready help and co-operation that I have received from them.

The Indian members of the services also have a special responsibility to discharge. As responsible members of the administration and as men who will have to shoulder an ever-increasing share of the administration in the future, they owe it to themselves and to the country to bring to bear on their duties the efficiency, loyalty and thoroughness which they have shown in the past. To-day they have an added interest in their work inasmuch as it is an autonomous Government of which they form a part, and they can rest assured of every help and support from Government so long as they discharge their duties under the new conditions with devotion and efficiency.

I am happy to take this opportunity of expressing my grateful thanks to Sir John Woodhead, my predecessor in office, for his conscientious and efficient custodianship of our provincial finances during the difficult years that we have lived through. He laboured hard for the good of this province, and his name will long be gratefully remembered. I trust that in the improved financial position which Bengal now enjoys he will find some reward for all the care and energy which he devoted to the preparation of our case on the eve of the settlement. I must also thank Sir John for the trouble he took in keeping everything ready and smooth for his successor, and I am personally grateful to him for having stayed on nine days after his term ceased on the 31st March to help me in the initial stages during the difficult period of the transition.

It remains for me to perform another pleasant duty before resuming my seat—to thank the officers and the staff of the Finance Department for the ready help and co-operation they have rendered me. But for their ungrudging assistance and unremitting toil, my task would have proved too onerous.

Sir, I have now the honour of presenting the Budget for 1937-38. I ask very respectfully the consideration of its provisions in the hope that members, irrespective of party bias and affiliation, will make an earnest endeavour to examine them on their merits and offer such criticism as may be helpful and constructive and thus set up a high standard of discussion. The fervent patriotism which illumines the whole of this great land of Hindusthan to-day was first kindled in Bengal. Let us once more attempt to retrieve our heritage through constructive endeavour, and zealous service in the cause of the nation. *Bande Mataram.*

Mr. SPEAKER: Before I proceed to adjourn the House I might inform the House that if the mover of the adjournment motion receives the written consent of the Speaker on Monday and it is not otherwise disallowed or if no objection is raised and the requisite permission is given then I propose to take it up at 5 P.M. on Monday and formal permission will be given to move the adjournment motion.

Adjournment.

The Assembly was then adjourned till 3-45 p.m. on Monday, the 2nd August, 1937, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Monday, the 2nd August, 1937, at 3-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, the eleven Hon'ble Ministers and 228 members.

STARRED QUESTIONS

(to which oral answers were given)

Loan Companies and the Bengal Agricultural Debtors' Act.

*5. **Maulvi MUHAMMAD IBRAHIM:** (*a*) Is the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department aware that the Bengal Loan Companies have been affected by the passing of Bengal Agricultural Debtors Act, 1936?

(*b*) If the answer to (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state whether the Government is considering the desirability of exempting the Loan Companies from the operation of the Act by legislation?

MINISTER in charge of CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) Yes.

(*b*) No.

Maulvi MUHAMMAD IBRAHIM: On a point of order, Sir. I did not give notice of this question.

Mr. SPEAKER: In view of this denial, the question does not arise at all, but I think the matter requires investigation. It is very serious.

Duties of clerk in a rural sub-registry office.

8. **Maulvi ABDUL LATIF BISWAS:** (*a*) Will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to state—

(*i*) whether it is a fact that in a rural sub-registry office there is only one clerk;

(*ii*) whether such clerk has to make 200 index entries in a day in addition to his duties, such as making correspondence, keeping accounts and records, preparing all sorts of bills, statements and returns, etc., and attending the Bench of the Sub-Registrar for realising fees and checking documents;

(*iii*) that in addition to those duties, the clerk is also required to do the work imposed upon him by the introduction of the Bengal Tenancy (Amendment) Act, Tobacco License Act and Agricultural Debtors Act;

(*iv*) that the clerk has to work in the morning and in the evening and during the holidays to complete all his works thus allotted to him; and

(*v*) that in addition to his aforesaid duties he is also required for copying work?

(*b*) If the answers to (*a*) are in the affirmative, will the Hon'ble Minister be pleased to state whether he considers it desirable to give additional hands in a rural sub-registry office?

MINISTER in charge of EDUCATION (REGISTRATION) DEPARTMENT (the Hon'ble Mr. A. K. Fazlul Huq): (*a*) (*i*) Yes.

(*ii*) Yes. It is generally expected that a clerk would make at least 200 index entries, but the standard has not been fixed yet.

(*iii*) Yes.

(*iv*) Sometimes the clerks have to work outside office hours.

(*v*) No. If he does any copying work, the amount of index entries will be correspondingly decreased.

(*b*) The question of the adequacy of staff in sub-registry offices is at present under the consideration of Government.

Mr. SYED JALALUDDIN HASHEMY: Will the Hon'ble Minister kindly explain the policy of Government underlying the fact that there was to be only one clerk in a rural sub-registry office?

The Hon'ble Mr. A. K. FAZLUL HUQ: I require notice of a question of such a comprehensive character.

Maulvi ABDUL LATIF BISWAS: Is it a fact that the clerk in a sub-registry office is forced to make 200 index entries and also to do copying work?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have no information at present, but I promise to make enquiries in the matter.

Bengal Tenancy Act Muharrirs.

7. **Maulvi ABDUL LATIF BISWAS:** (*a*) Will the Hon'ble Minister in charge of the Education (Registration) Department be pleased to state whether it is a fact—

(*i*) that the Bengal Tenancy Act *muharrirs* were first appointed temporarily on a salary of Rs. 25 per month with the prospect of being made permanent;

(*ii*) that after a year or so they were reduced to piece-workers; and

(*iii*) that Sub-Registrars now-a-days get the Bengal Tenancy work done by any ordinary extra *muharrir*?

(*b*) If the answers to (*a*) are in the affirmative, what are the reasons for not giving effect to the implied hope which the Government gave to the Bengal Tenancy Act *muharrirs* at the time of their appointment?

(*c*) Is the Hon'ble Minister aware—

(*i*) that similar temporary hands were taken in the Collectorate simultaneously with the Bengal Tenancy Act *muharrirs* in the sub-registry office; and

(*ii*) that those hands taken in the Collectorate for the work of the Bengal Tenancy Act have been made permanent?

(*d*) If the answers to (*c*) are in the affirmative, will the Hon'ble Minister be pleased to state the reasons why the *muharrirs* for Bengal Tenancy work in the sub-registry office are being differently treated in the matter?

The Hon'ble Mr. A. K. FAZLUL HUQ: (*a*)(*i*) No. The Bengal Tenancy Act *muharrirs* were appointed on a purely temporary basis.

(*ii*) Yes.

(*iii*) No, not as a rule.

(*b*) Does not arise.

(*c*) (*i*) and (*ii*) The information is not readily available.

(*d*) Does not arise.

Maulvi ABDUL LATIF BISWAS: With regard to clause (*ii*), is it not a fact that the Bengal Tenancy Act *muharrirs* have been reduced to piece-workers?

The Hon'ble Mr. A. K. FAZLUL HUQ: I have no information at present; I want notice.

Appointment of Inspectors and Auditors in the Co-operative Department.

8. Mr. SYED JALALUDDIN HASHEMY: (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state whether it is a fact—

(*i*) that a large number of Inspectors and Auditors will be appointed in the Co-operative Department; and

(*ii*) whether the appointments will be made through the Public Service Commission?

(*b*) If the answer to (*a*) (*ii*) is in the negative, will the Hon'ble Minister be pleased to state the reasons therefor?

(*c*) Will the Hon'ble Minister be pleased to state whether any communal ratio has been settled for these appointments?

(*d*) If the answer to (*c*) is in the affirmative, will the Hon'ble Minister be pleased to state whether he is proposing making the appointments through restrictive competitive examination of members of different communities? If not, why not?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: (*a*) (*i*) Yes, 80.

(*ii*) No.

(*b*) Rules do not require that the Public Service Commission shall be consulted as to the appointments of officers of this grade.

(*c*) A communal ratio will be settled, but it has not yet been fixed.

(*d*) The appointments will be made by a competitive examination of the candidates chosen by a Selection Board, due regard being had to the communal ratio fixed.

Babu NAGENDRA NATH SEN: How long has the matter been in contemplation, and what is the reason for so much delay?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I am not aware of that.

Mr. SYED JALALUDDIN HASHEMY: May I know the precise time when a final selection will be made by the proposed board?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I cannot say that now.

Mr. SYED JALALUDDIN HASHEMY: Does the selection board consist of official members only, or both of official and non-official members?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: This also has not yet been settled.

Maulvi ABDUL BARI: Is it not a fact that all the applications have been sent to the district authorities concerned?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Yes, Sir.

Maulvi ABDUL BARI: Is it a fact that all the applications were not sent out but only a few selected from them?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I do not think so, Sir.

Khan Bahadur MUHAMMAD ALI: Is it the intention of the Hon'ble Minister to obtain district nomination?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: Yes, Sir.

Khan Bahadur MUHAMMAD ALI: Is it the intention that the appointments will be made on district nominations as called for?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I think so.

A member: What will be the principle to determine the final selection?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: That also has not yet been settled.

The same member: When does he expect to settle the matter?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I cannot say that now.

Another member: Will the Hon'ble Minister be pleased to state as to how the district nominations will be made?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: It has been left to the discretion of the district authorities.

Proposed bridge over the Mahananda at Malda station ghat.

9. **Mr. ATUL CHANDRA KUMAR:** (*a*) Is the Hon'ble Minister in charge of the Communications and Works Department aware of the inconvenience felt by the public, especially the railway passengers for want of a bridge over the Mahananda at the Malda station *ghat*?

(*b*) If the answer to (*a*) is in the affirmative, is the Hon'ble Minister considering the desirability of taking steps in the matter?

(*c*) If any steps are in contemplation, when are the same likely to be taken up?

MINISTER in charge of COMMUNICATIONS and WORKS DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*a*) Yes.

(*b*) The proposal for the construction of a bridge will be considered on its merits after the comprehensive programme of road development has been received from the Special Officer, Road Development Projects.

(*c*) Does not arise.

A member: By what time the comprehensive programme of the special officer is expected to be received?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: By September

Mr. SYED JALALUDDIN HASHEMY: Is there any proposal for construction of a bridge?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, there is one.

A member: Will it be possible to take up the matter independently, or will it depend on a speculative report which is being anticipated?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: It would depend on the report.

Extension of the Immoral Traffic Act.

10. **Maulvi ABDUR RAZZAK:** (*a*) Is the Hon'ble Minister in charge of the Home (Police) Department contemplating the extension of the Immoral Traffic Act throughout Bengal?

(*b*) If so—

(*i*) what are the reasons;

(*ii*) whether the Government have taken into consideration the possible effect of such extension to the countryside; and

(*iii*) whether public opinion will be invited before the final decision is arrived at?

MINISTER in charge of HOME (POLICE) DEPARTMENT (the Hon'ble Khwaja Sir Nazimuddin): (*a*) No.

(*b*) Does not arise.

Maulvi ABDUR RAZZAK: I did not give notice of this question, Sir.

Mr. SPEAKER: It is very regrettable that for a second time I have been informed of this. In view of the statement made, this question does not arise for the time being. I am going to institute an enquiry into the matter, the results of which I will bring to the notice of the House in due course.

Prisoners in the Andamans.

10A. **Mr. KIRAN SANKAR ROY:** (*a*) Has the attention of the Hon'ble Minister in charge of the Home (Jails) Department been drawn to the press report that a large number of prisoners in the Andamans have been on hunger strike since the 24th July last, which was the date by which they had demanded the acceptance by Government of the terms of their petition to the Government?

(*b*) What were the terms of that petition?

(*c*) What steps do the Government of Bengal propose to take, or what steps have they taken, to meet their demands and to redress their grievances?

The Hon'ble Khwaja Sir NAZIMUDDIN: (*a*) I have seen the communiqué issued by the Government of India.

(*b*) I have not seen a copy of the whole petition. The demands of the convicts have been reproduced in the communiqué.

(*c*) None.

Mr. KIRAN SANKAR ROY: Will the Hon'ble Minister be pleased to state whether the Bengal prisoners in the Andamans are within the jurisdiction of the Government of Bengal?

The Hon'ble Khwaja Sir NAZIMUDDIN: The cellular jail is not within the jurisdiction of the Government of Bengal.

Mr. KIRAN SANKAR ROY: Is it not a fact that most of the hunger-strikers in the Andamans belong to Bengal?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am sorry I have no information.

Mr. TULSI CHANDRA GOSWAMI: Is it not the duty of the Hon'ble Minister, when such a grave report appears in the press, to find out whether a large number of prisoners—as we know it for a fact—who have gone on hunger-strike are citizens of this Presidency?

The Hon'ble Khwaja Sir NAZIMUDDIN: I am making enquiries, Sir.

Mr. TULSI CHANDRA GOSWAMI: Am I to understand that the Hon'ble Minister is making enquiries with a view to redressing the grievances of those prisoners who have gone on hunger-strike?

The Hon'ble Khwaja Sir NAZIMUDDIN: I refer the hon'ble member to my reply to (*c*).

A member: Since when has he begun this enquiry?

The Hon'ble Khwaja Sir NAZIMUDDIN: After the report was published.

Mr. TULSI CHANDRA GOSWAMI: Since published in the papers?

The Hon'ble Khwaja Sir NAZIMUDDIN: Yes.

A member: What was the nature of the offences for which the prisoners are serving sentences in the Andamans?

Mr. SPEAKER: This question does not arise, because we are partly concerned with the publication of a report of hunger-strike by prisoners in the Andamans.

Mr. NIHARENDU DUTTA MAZUMDAR: When was the news received, and why was it suppressed since the 24th July?

Mr. SPEAKER: You cannot assume that it was suppressed. You can put only specific questions to elicit what information you want.

Mr. NIHARENDU DUTTA MAZUMDAR: Is it a fact that the news was suppressed from the 24th of July? When did the Government of Bengal receive the news?

The Hon'ble Khwaja Sir NAZIMUDDIN: It is not the business of the Government of Bengal to publish such news. The Government of India are in communication with the jail authorities.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister grant immediately revision of treatment to the prisoners, and order that they should be brought back to Bengal at once?

Mr. SPEAKER: This question of yours does not arise, being a a request for action

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister immediately order that the prisoners be placed in Division II?

Mr. SPEAKER: You are again asking for certain action being taken. I am sorry I cannot allow that.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister kindly take steps in order to make it possible for the hunger-strikers to put an end to their strike, and to bring all the prisoners back home?

Mr. SPEAKER: I am afraid all your questions are taking the form of requests for action, and not for eliciting further information. I would advise you to put the question in a different form, viz., to consider the desirability of taking steps in order to put an end to the hunger-strike.

Mr. NIHARENDU DUTTA MAZUMDAR: Will the Hon'ble Minister consider the desirability of taking all possible steps with a view to putting an end to the hunger-strike?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would refer the hon'ble member to my reply to (c), and I have nothing further to add.

Mr. SYED JALALUDDIN HASHEMY: Has the whole copy of the petition been received, and is there any reason not to publish the same?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have not got the whole copy of the petition.

Mr. P. BANERJEE: What are the reasons for not taking any steps as stated in answer to (*c*)?

The Hon'ble Khwaja Sir NAZIMUDDIN: I consider that government will be impossible if the terms of those who are on hunger-strike are acceded to and if Government surrender to what they demand.

Mr. P. BANERJEE: Does the Hon'ble Minister refuse to take any step whatsoever to redress the grievances of these prisoners?

The Hon'ble Khwaja Sir NAZIMUDDIN: No redress can be had so long as the hunger-strike continues.

Mr. P. BANERJEE: Is the Hon'ble Minister in a position to contradict me when I say that these prisoners were sent to the Andamans at the instance of this Government?

Mr. SPEAKER: I am afraid, this is not the proper form to put question—in the form of a challenge. You may put your question in simpler way.

A member: Are there doctors for the treatment of the hunger-strikers?

The Hon'ble Khwaja Sir NAZIMUDDIN: I would refer the hon'ble member to the communiqué in which it is clearly indicated that the Government of India are making all arrangements.

Kumar SHIB SHEKHARESWAR ROY: With reference to (*c*), am I to take it that the Government refuse to accept any responsibility in the matter?

The Hon'ble Khwaja Sir NAZIMUDDIN: Yes, for the time being. (Cries of: Shame, shame.)

Mr. NIHARENDU DUTTA MAZUMDAR: How many prisoners, convicted by Bengal courts of law, are involved?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have no information.

Mr. SYAMAPRASAD MOOKERJEE: May I ask what he means by "for the time being"? Does he propose to take action later on?

The Hon'ble Khwaja Sir NAZIMUDDIN: It depends on what will develop in future. I have no information as to what the Government of India propose to do in the matter.

Mr. SYAMAPRASAD MOOKERJEE: Does he propose to depend on what action the Government of India may take in the matter?

The Hon'ble Khwaja Sir NAZIMUDDIN: The Government position is that they are not prepared to take any step so long as the hunger-strike continues.

Mr. SYAMAPRASAD MOOKERJEE: Has that decision been communicated to the hunger-strikers that the Government of Bengal refuse to take any action until the strike is called off?

The Hon'ble Khwaja Sir NAZIMUDDIN: The Government of Bengal are not in communication with the hunger-strikers. It is the Government of India who are primarily concerned.

Mr. SYAMAPRASAD MOOKERJEE: Has this view of the Government of Bengal been communicated to the Government of India?

The Hon'ble Khwaja Sir NAZIMUDDIN: No opinion has been asked for from the Government of Bengal.

Mr. SYAMAPRASAD MOOKERJEE: Does the Hon'ble Minister propose to communicate this view of the Government of Bengal, that no action should be taken until the hunger-strike is actually withdrawn?

The Hon'ble Khwaja Sir NAZIMUDDIN: That is a hypothetical question.

Mr. SPEAKER: The Hon'ble Minister definitely contemplates that there would be no step taken until the hunger-strike is withdrawn. In view of this statement, I think the question is not a hypothetical one, but is in order.

The Hon'ble Khwaja Sir NAZIMUDDIN: We propose to wait and see what the Government of India intend to do, and when the matter comes within our responsibility, we will then decide our line of action.

Mr. SYAMAPRASAD MOOKERJEE: May I know at what stage the responsibility of the Hon'ble Minister will actually come in?

The Hon'ble Khwaja Sir NAZIMUDDIN: May I draw the attention of the House to the fact that these people are prisoners convicted for grave offences——?

Mr. SIBNATH BANERJEE: On a point of order, Sir——

Mr. SPEAKER: You cannot raise a point of order in the midst of a question.

The Hon'ble Khwaja Sir NAZIMUDDIN: That they have gone on hunger-strike and that because they have done so, they should be released is a position which the Government cannot accept.

Mr. SIBNATH BANERJEE: My point of order is that when the Hon'ble Minister says that they were convicted for grave offences and when he says in connection with another question that he has no information about these detenus, any reference to the charges is, therefore, wrong.

Mr. SPEAKER: I am afraid some of the members rise to a point of order which is not at all a point of order. I must deprecate that and would appeal to the members not to raise such points of order. A point of order arises when there is a violation of the rules of debate or any provision of law arising out of the proceedings. Here no such thing has been done.

Mr. SYAMAPRASAD MOOKERJEE: Does the Hon'ble Minister recall that he has said only a few minutes ago that he will take action at the time when his responsibility comes in, and that later on he has stated that he is not prepared to take action because these prisoners are convicted of serious offences? Will he please reconcile the contradictory statements?

The Hon'ble Khwaja Sir NAZIMUDDIN: So far as we are concerned at present, we propose to take no action. When the responsibility is ours, then under the circumstances then prevailing, the question will be decided.

Mr. SARAT CHANDRA BOSE: Do I understand the Hon'ble Minister to say that, however legitimate the grievances may be, they cannot be listened to so long as these prisoners are on hunger-strike?

The Hon'ble Khwaja Sir NAZIMUDDIN: I said nothing of that kind.

Mr. TULSI CHANDRA GOSWAMI: You said nothing different.

Mr. NIHARENDU DUTTA MAZUMDAR: Has there been forced feeding?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have no information.

Mr. NIHARENDU DUTTA MAZUMDAR: Has the Government of Bengal any knowledge of the dangers of forced feeding?

(No answer.)

Mr. SARAT CHANDRA BOSE: May we know what the demands of the convicted prisoners are?

The Hon'ble Khwaja Sir NAZIMUDDIN: These have been published in the communiqué.

Mr. SARAT CHANDRA BOSE: Will he please enumerate them in the House?

The Hon'ble Khwaja Sir NAZIMUDDIN: I submit that that is a frivolous question.

Mr. SARAT CHANDRA BOSE: May I know, Mr. Speaker, whether a Minister can say that a question is frivolous?

Mr. SPEAKER: I am afraid that it is for the Chair to say—— (Interruptions from Ministerial Bench.) I must very strongly deprecate this sort of interruption. ("Shame! shame" from the Opposition Benches.) You are also committing the same irregularity. It would be impossible to carry on the business of the House if during or at the end of a question or answer there is a persistent pouring in of condemnation or acclamation. I hope and trust that good sense will prevail, and my remarks will have the desired effect.

As to whether the remark was frivolous or not, it is entirely for the Chair to decide, and I would request the Hon'ble Home Minister, in view of the objection that has been taken, to withdraw it.

The Hon'ble Khwaja Sir NAZIMUDDIN: I have only said that I submit that the question is frivolous. As you have ruled that it is not in order, I withdraw.

Mr. SARAT CHANDRA BOSE: May I have an answer to the question I have put?

Mr. SPEAKER: I must say, Mr. Bose, that although your question is quite in order, there is no doubt that you have seen the grievances in the press communiqué. I do not, therefore, think that

it is necessary for the Hon'ble Minister to enumerate them here, especially as these have been mentioned in the communiqué. I must admit, however, that yours is quite a legitimate question, and it will perfectly be open to you to say: "What are those grievances?"

Mr. SARAT CHANDRA BOSE: What are the grievances of these prisoners?

The Hon'ble Khwaja Sir NAZIMUDDIN: I want notice.

Mr. SARAT CHANDRA BOSE: Mr. Speaker, am I in order in saying that the Hon'ble the Home Minister is now taking a frivolous attitude?

Mr. SPEAKER: You are making a remark which you yourself objected to, Mr. Bose.

Mr. SARAT CHANDRA BOSE: I have only put it to you in the shape of a question.

A member: The Hon'ble Minister has once said that it is the responsibility of the Government of India to deal with the situation and subsequently he says that he is not concerned with this situation at the present moment. May I ask whether the Government of India has not shifted to local Governments the responsibility to deal with the cases of their respective prisoners, and in the circumstances how can the Hon'ble Minister——

Mr. SPEAKER: You must put specific questions, one by one.

The same member: Is it not a fact that the responsibility for these cases has been shifted by the Government of India to the Bengal Government?

The Hon'ble Khwaja Sir NAZIMUDDIN: I do not think that the responsibility has been shifted to the Bengal Government, but so far as individual prisoner's application is concerned, it has been stated such applications will be considered by the Government of Bengal.

Mr. SARAT CHANDRA BOSE: Am I to take it that the Hon'ble Home Minister is not aware of the nature of the demands of the detenus prisoners?

The Hon'ble Khwaja Sir NAZIMUDDIN: I have already stated I have seen the communiqué, but as it is not with me here, I cannot mention them out of memory.

Adjournment Motion.

Babu Narendra Narayan Chakrabarty asked for permission in *Bengali* to move the adjournment motion of which he gave notice.

Mr. SPEAKER: I have given my written consent to the motion which was handed over to me. I now ask whether it is the desire of the House that leave should be given to move this motion of adjournment.

(Leave being granted, 5 p.m. on the day was fixed for the taking of the adjournment motion.)

GENERAL DISCUSSION OF THE BUDGET, 1937-38.

Dr. NALINAKSHA SANYAL: Sir, it has fallen to my lot on behalf of the Congress Party to initiate the general discussion on the budget and to begin a criticism of the written speech of the Hon'ble Finance Minister. I would crave your indulgence to permit me a little more time than usual, because the subject is important and the Hon'ble Finance Minister has traversed a very wide field. But before I proceed I would just like to submit a little bit of personal explanation in this connection. Last time when my friend the Hon'ble Finance Minister chose to read out his speech, there had been some slight interruption from this side of the House. I submit that through this interruption I never meant the slightest disrespect to the Chair nor did I wish to show the least dishonour to my honourable friend the Finance Minister. All I intended to do was to point out to him and to the members of this Assembly that the speeches, observations and discussions in this House should follow the Parliamentary practice as followed in the Mother of Parliaments. There it is perfectly in order for any member to pull up anybody who goes on to irrelevancies, who sheds crocodile tears and who brings in hypocritical views. With that end in view and nothing else we had certain observations to put in.

Mr. Speaker, Sir, the Hon'ble Finance Minister's Budget Speech dealt with different items, some of which are thoroughly out of place and some more or less could be characterised as a jumble of different things—a jumble in the first place of half-digested economic theories, of ill-cooked economic planning and of nimblings at financial methods mingled with a lot of irrelevant issues brought in for cheap publicity and nothing else. I submit that the Hon'ble Finance Minister has disappointed this House and the whole of Bengal by his first statement of the Budget and through the first speech that was expected of a popular Minister. He

opened his remarks by stating this: "That as an elected member, elected by the people, he was laying the Budget before the elected representatives of the people. I submit that if he really had been elected through a proper electorate and not come through the backdoor of a constituency of only 130 members, he would not have arrogated to himself the position of a popular representative in coming forward with that kind of Budget and would not inflict upon this House the kind of speech that he delivered. I submit that the Budget that is presented is a hopeless Budget which does not in any way satisfy the demands of the people, which does not reach anywhere near the Congress ideals of economy and service and which does not in the least degree satisfy the canons, as he himself has laid down—for financial administration—canons of service to the poor, of helping the middle class unemployed youths, of bringing in mass education and making free the primary education in this country, canons of economic uplift, of agricultural improvement and of a thorough industrial reorganisation. I submit, that judged from all these standards, either from the standard of public demand with respect to the handling of Bengal's finance or with respect to the standard of judgment which the Congress Ministries in other provinces have been laying down for preparing the Budgets of their respective provinces or from the standard that my honourable and learned friend from the Bengal National Chamber of Commerce has himself laid down in his speech—a speech which was probably manufactured by people who did not care to see what there was in the Budget. Sir, this is a hopeless Budget. The Finance Minister has given us some figures, it is true. . . if you go through those figures you will be disillusioned about their ..acter. In the first place, the Finance Minister stated that this ..titution gave wide powers. This is most surprising, coming as it .. from the lips of the Hon'ble Finance Minister. He ought to have ..n and told this House more about the nature of the powers allowed ..nancial matters. He ought to have stated to this House something .. about the charged expenditure provided under section 78 (3), and ..ases where the interference of the Governor was possible. He ought ..ve told this House what the Governor's power was with regard to ..hese different sections: namely, section 52 regarding special respon..ity: section 83 regarding grant for European and Anglo-Indian ..ation: section 247 (4) with regard to the salary of Imperial ..ces, section 249(2) regarding compensation for the same: section (1) regarding salary of superior services: section 268 regarding ..e Service Commission, and section 305 (2) regarding Governor's ..tarial staff; and above all these various sections, section 79 (3), ..ns 80, 81, 82—how many shall I repeat—which have given the ..nor extraordinary powers with respect to the financial dispensation ..is province. Even with these if the Hon'ble Finance Minister, .. perhaps does not care to read these sections, comes forward and ..that there are wide powers given under this constitution, then I

submit he would be condemning the members on this side of the House as so many fools. There is an Act, let him read that Act carefully and then initiate his discussion. (Here the Finance Minister said: Have you read the Act?) Sir, I would like the Finance Minister to interrupt me to point out any defects that he finds in my speech. (Laughter in ministerial benches.) I would only submit to my friends opposite that though they may chuckle over their own humour, they should remember that those laugh best who laugh last. The Hon'ble Finance Minister is not serving me or this House, but he is serving the country outside. He has brought in unparliamentary matters by praising His Excellency the Governor. I submit, Sir, that under the rules of this House and under accepted Parliamentary practice the King's or the Governor's name cannot be brought into the discussions here—either in praise or in blame. That is the constitutional law which is recognised in Great Britain. There may be reasons for my honourable friend the Finance Minister to remain and feel personally grateful to His Excellency Sir John Anderson, but that is neither here nor there so far as this House is concerned. He also has brought in irrelevant matters in his speech by taking the names of certain illustrious sons of Bengal and India. Probably he felt that it would be giving him a cheap publicity. I submit that it is nothing short of a huge mockery which is unparalleled. It would be the privilege and duty of this House to point out and expose all this hollowness.

I may also in this connection point out that so far as his remarks with regard to the Congress acceptance of Ministry is concerned, they were not only uncalled for but unjustifiable and misleading with respect to the whole situation.

Coming now to the Budget, I have to point out to the Finance Minister and to this House that the Budget fails in more respects than one. In the first place, a minor thing that I have to point out for his attention, he does not give us, like previous years, a comparative estimate of figures of detail compared to the previous 2 years in the same volume of the Budget Estimate. It is not really easy for an ordinary member of this Assembly who has no access to the Secretariat or to its inner chambers to know what is going on there and compare the figures in the present Budget with those of the previous years.

In the second place, I want to state that so far as some of the estimates that he has put forward, with regard to primary education, improvement of agriculture, improvement of industries, relief of middle-class unemployment and general economic uplift are concerned, there is not a single rupee shown to prove his *bona fides*—that he is really serious about bringing about these reforms and about giving Bengal a much needed relief in these directions. The administration continues to be in the

same manner top-heavy. High salaries have been provided and maintained—and not only maintained for the services but also for the Finance Minister and his colleagues. He has in fact provided higher salary for him and his colleagues than what was contemplated by His Excellency the Governor of Bengal. The landlords and notabilities of Bengal have received special attention, but there is no relief to the peasantry. Police continues to be the pet child of the bureaucracy which remains to guide the activities of our "popular" Ministers, and still we find the Minister claiming that he is there to serve the people and he talked of various schemes that are coming up. I have drawn up a table to show the percentage of anticipated expenditure on important heads in comparison with the total revenue receipts of this province, namely, 12½ crores. I find that "Police" tops the list with 2,28 lakhs consuming 18·16 per cent. of the total revenue of this province. Next comes "General Administration" consuming 12·19 per cent. and requiring 1,53 lakhs: "Civil Works" 1,31 lakhs consuming 10·43 per cent: "Education" 1,27 lakhs consuming 10·11 per cent. "Administration of Justice" 104 lakhs consuming 8·28 per cent.: "Medical" only 54 lakhs consuming 4·30 per cent. (A VOICE: Is the honourable member entitled to read from a written manuscript?) If the honourable member cares to come over and see my notes, he will be disillusioned. I am only reading out the figures, I am not reading a written speech.

Under "Medical" we have 54 lakhs provided, *i.e.*, 4·30 per cent.; under "Jails" 44 lakhs, or 3·50 per cent.; under "Public Health" lakhs, or 2·70 per cent.; under "Stationery and Printing" a provision has been made which is greater than that for Agriculture and Industries, inasmuch as they consume 22 lakhs, or 1·75 per cent.; while Industries consume only 17 lakhs—Industries, which I might submit to you, bring in a revenue of 13¼ lakhs (A VOICE: Not correct; it is shown as 16 lakhs and 69 thousand.) That works out to lakhs roughly, or to 1·35 per cent.; please read your mathematics again. Co-operative 14 lakhs, or 1·11 per cent.; Agriculture 12 lakhs, ·95 per cent. only of the whole revenue of Bengal goes to Agriculture; Veterinary gets only 5 lakhs, *i.e.*, ·39 per cent.

Sir, this is the state of affairs and this is how the revenue income of a province is distributed over the different heads. I have also noted on certain items of expenditure to prove how the budget has failed and how the budget continues to reflect the same state of affairs against which the country has been crying insistently year after year. I find that the high salaries of Ministers supplemented not only by some kind of mysterious contingencies fund provided under "Office and administration," Rs. 15,000 and odd; and on the top of that they have been given—I do not know if this is a new grant, but I presume it is not going to be used as a party fund—another Rs. 15,000, which has been kept apart to be spent at their sweet discretion. (A MEMBER: Sir, the

clock has stopped.) It is fortunate that it has stopped, so that I may have more time for my speech. The Civil Secretariat expenses have increased, a thing that we have been insisting from year to year should decrease—they have gone up to Rs. 17,68,000, as against Rs. 17,40,000 in 1936-37 and Rs. 17,07,000 in 1935-36. Then, Sir, very large sums of money have been kept under "Contingencies." Particularly I find this under "Debt Conciliation Boards" where a very large amount has thus been provided, nearly 6 lakhs out of a total provision for contingencies of 16 lakhs. Then, we find the high provision for the police of this country still remains where it was. There has been a nominal reduction of Rs. 70,000 only, and that, too, mainly in the Calcutta Police. The Criminal Investigation Department remains sacrosanct. The Criminal Investigation Department police expenses have in fact increased from Rs. 17,69,000 in 1936-37 to Rs. 17,74,000, and to our eternal shame this Criminal Investigation Department has also been provided with a Secret Service Fund of nearly 2 lakhs, or to be more exact Rs. 1,85,000 for expenditure on matters no one knows what. On the other side of the picture, Sir, if you go to the nation-building services, you will find that practically nothing new has been provided for primary education. The Hon'ble the Finance Minister waxed eloquent over primary education, which, he said, he valued above all things, but, Sir, this value in terms of pound, shilling, and pence, is nil. Then, coming down to "Medical"——

(At this stage the member reached the time-limit, but was allowed five minutes in which to finish the speech.)

The increase under "Medical" is about 2 lakhs only, *i.e.*, to be exact Rs. 2,40,000, out of which the Calcutta Medical College and the institutes near about Calcutta, and the Nurses' Institute consume about Rs. 2,15,000, thus leaving hardly anything for the mufassal. Then "Agriculture" shows a glorious increase of new expenditure to the extent of Rs. 26,432 only! What a glorious budget! What solicitude for the masses and the poor of this country! Then, again, under "Agriculture" we find that out of 11½ lakhs nearly two lakhs has been provided for expenditure on the Botanical and other public gardens maintained for the fashions and frolics of the few rich. Coming to "Industries" we find the same sad tale. The additional expenditure is Rs. 1,68,000. That needs hardly any comment. Some claim to public service has been made through providing a large sum in the "Civil Works" budget. I do not know if any of my friends in this House has gone through the "Civil Works" budget carefully; if he has done so, he will be disillusioned completely when he finds that not a single important project of real service finds favour easily with the department, so far as technical departments of Government are concerned. They have for years and years devoted themselves to some of these projects, and in spite of years of attempt we find only one or

two items are taken up and the money lapses. If this is the state of affairs, either the Minister should go, or the heads of the departments should go. We cannot permit such a state of affairs to continue eternally. If we examine the projects again, we find that a large amount has been provided for High Court buildings, lands and buildings for some Government officials and electrification of some Government offices. Sir, I do not know in whose interest my friend the Hon'ble the Finance Minister was so very solicitous when he said that it would help some mufassal electric supply companies. We on this side of the House who are here to see that the public, the masses, the peasantry, the industrial workers are served, we refuse to believe that this method of public service will be of any use to the country. I have examined the total sum of 89 lakhs that has been provided for the various items, and I find that the same sad tale is repeated. It is in Appendix II of the Hon'ble the Finance Minister's speech.

Sir, if I am asked now to make some constructive suggestion, as my friend the Hon'ble the Finance Minister said that he wanted the level of discussion in this House to rise above pettiness, I might straightaway tell him that if I or if any of my Congress friends had been in charge of this important portfolio, we would not have allowed the Secretariat to go on merrily in the same old order. We would have capitalized our surplus from additional income from jute duty through Customs and raised a loan of about 12 crores for agricultural improvement in this country. We would also have capitalized another surplus that he have had through the remission of interest charges. By this means we would have raised at least 10 crores more which could have revolutionised the entire health and irrigation administration of the country. That is the method we want the Finance Minister to follow and I would ask him to go and fight His Excellency if he does not permit him to take up that method.

I would now conclude by saying this, that the Hon'ble the Finance Minister has shown considerable craze for his personal and for his Government's publicity, but publicity carries us no more anywhere. I submit that it is a cruel mockery—it is an irony of the worst character—that he should be playing to the sentiments of the people, that he should talk glibly about our down-trodden brothers, about the sacrificing young men that are still rotting in jail, that he should invoke the glorious names of those that have inspired thousands of men to go to jail and end his speech with such an expression as *Bande Mataram*. It is only mean hypocrisy and nothing else. I submit that the country has been more educated than before and mere pedantry carries conviction no more, and no further appeals. I, submit, Sir, that the Hon'ble the Finance Minister's speech only reminds me of the celebrated saying: "You can fool some people for all time, all people for some time, but you cannot fool all people for all time."

Point of Order relating to the by-election of a European Member of the Upper House by the European Members only of the Assembly.

Mr. SPEAKER: The leader of the Opposition drew my attention on Thursday last to a matter, claiming the rights and privileges of the House, in connection with the recent election of a member for the Bengal Legislative Council by the European members of the Bengal Legislative Assembly. As the matter is of considerable importance, I promised to give my ruling to-day.

It would be well to remember the constitutional position of the provincial legislature and of this House as distinguished from the Houses of Parliament of Great Britain. Parliament there not only functions as a legislature, but is also the High Court of Parliament and as such any breach of privilege is treated as contempt, and in cases of breach of privilege it has the power to punish as in the case of the courts of justice. This power of Parliament is partly based upon common law and partly upon the inherent power of all authority to do all that is necessary to maintain its own dignity and efficiency. There are certain statutory rights of the Parliament, well defined, with adequate sanction behind these rights. But in most cases the rights and privileges of the Parliament are mixed together, and it is hardly possible to-day to make a distinction between the two except those which have been provided in the statutory enactments of the Parliament.

Among its many privileges, the House of Commons exercises certain functions with a view to providing for its proper constitution, including the filling of casual vacancies, the determination of legal disqualifications, and of disputed returns. The House of Commons also lays down the procedure for persons elected for more than one constituency and against bribery and corrupt practices. When a vacancy occurs during the session, the House on motion orders the Speaker to issue his warrant to the Clerk of the Crown to make out a new writ for the election of a member. Complaint of breach of privilege is considered by the House and, upon certain preliminaries observed, a motion is framed upon which debate may take place, and the House may resolve that the matter complained of is a breach of the privilege or order that it be referred to the committee of privilege which is constituted as a sessional committee at the beginning of the session and in anticipation of matters. The Speaker functions under authority of the House in a matter concerning the privilege.

Here, in India, the legislature has practically no function in its constitution or composition which is provided for in section 61 and various other sections of the Government of India Act, the Fifth Schedule of the Act and the various Orders in Council and rules framed under the Act. The Speaker of the House has no power to issue any

writ or warrant for by-elections. The oath of members shall be made and subscribed before the Governor or some person appointed by him and a member in resigning his seat has to address the Governor in writing under his hand.

Section 68 of the Act provides for vacation of seats and rules are framed thereunder by the Governor exercising his individual judgment. The legislature can only declare a seat vacant if a member is absent without permission for a certain period. The disqualifications for membership is provided for in section 69 and subject to the provisions of this section, the House has the power by an Act of legislature to exempt any office of profit under the Crown from the disqualifying provisions or to declare an offence or practice as entailing disqualification for membership of the legislature or to decide the manner of lodging the return of election expenses. Outside this power of this legislature, the Speaker has thus no function in connection with election at any stage.

Under section 71 the formal privileges of members are specifically provided. They are freedom of speech or freedom of publication by or under the authority of a Chamber of any report, paper, votes or proceedings. The legislature is empowered by the Act to define such further privileges of members and until so defined, it will be such as enjoyed before by the members of the Legislative Council of the provinces, such as freedom from arrest or detention in prison under a civil process.

And in one respect the Government of India Act is specific, that in no circumstances in any matter connected with privileges, any legislature can function as a court nor can have any punitive or disciplinary powers other than the power to remove or exclude persons infringing the rules or standing orders or otherwise behaving in a disorderly manner. At the same time, courts cannot call into question the validity of our proceedings or any ground of alleged irregularity of procedure nor any officer or member in regulating procedure or conduct of business or for maintaining order is subject to the jurisdiction of any court in the exercise of these powers. An Act of provincial legislature can of course provide for punishment of persons who refuse to give evidence or produce documents, but here also the legislature cannot function as a court, but that such matters must be brought up before a court. Subject to the provisions of the Act, a Chamber can make rules for regulating their procedure and conduct of their business.

It is, therefore, apparent that all matters concerning vacancies and casual vacancies, elections and holding of elections and constitution and composition of the House are not within the scope of my authority. Even the legislature can only function where specially empowered to do so by the Government of India Act, and subject to the provisions of the Act.

Under Schedule V, Rule 20, it is the Governor in his individual judgment who is to make rules, in so far as provision to any matter is not made by the Act or by His Majesty in Council or by an Act of the provincial legislature within its scope, to secure the due constitution of the provincial legislature, to notify vacancies including casual vacancies and to make rules not only for the conduct of elections, but with respect to proceedings to be taken for filling all vacancies and casual vacancies. Again, the Governor in his individual judgment has also the power to make rules with respect to the decision of doubts and disputes arising out of or in connection with elections and the manner in which the rules framed by him are to be carried into effect. I may also note that it is the Governor in his individual judgment who can frame rules as regards the application to elections of the principle of proportional representation by means of single transferable vote.

I find, even before this Assembly was constituted and even before the last general elections were held, the Governor in Council by a notification No. 10145A.R., dated the 2nd December, 1936, published in an *Extraordinary Gazette*, dated the 4th December, 1936, made a rule that in cases of casual vacancy occurring in a seat held by the members chosen by the Assembly, a person to fill the seat shall be chosen *by such members of the same community* as the member by whom the seat was held. Again Rule 63 of the Bengal Legislative Council Electoral (Conduct of Elections) Rules, 1936, provided that in case of such a casual vacancy, the person to fill the seat shall be of the same community as the member by whom the seat was held. As I read the Gazette notification of the 22nd July, it consolidates the existing rule 63(5) and the Gazette notification of the 4th December by substituted rule 63(5) and rule 84 proviso.

The present change of rules, if any, has been made or purported to be made by the Governor acting in his individual judgment, and there is the provision of section 50(3) of the Act under which, in any question that may arise whether any matter is or is not as respects which the Governor is, by or under the Government of India Act, required to exercise his individual judgment, it is the decision of the Governor at his discretion that is final and the validity of anything done by the Governor in his individual judgment cannot be called in question on the ground that he might or ought not to have exercised his individual judgment.

The question is whether the matter complained of is a breach of right or privilege of this House. The matter concerns the constitution and composition of another House and concerns the legality or otherwise of an election of a member of that House. It is not a case of interference with anything which concerns procedure of this House

as such, though it may be a matter which affects the right of voting of individual members of this House in electing certain members to the Council.

That this is not a matter which concerns the practice or procedure or in the due functioning of this Chamber as such will be supported from the fact that a vacancy created in the Council does not come within the knowledge of this House and that when the members of the Council are elected by the members of the House, it is not this House which is summoned; it is not done in a meeting of the House and during election the House does not function as such under the chairmanship of the Speaker. It is the returning officer who is appointed by the Governor who takes all necessary steps. Members of this House will be pleased to remember that they were invited by the returning officer to meet on the 27th February last, even before the present constitution came to function. Rights or privileges of a House, whether within the scope of statutory provisions or outside, can only be claimed when and where the House functions with the Speaker. It is true that there are privileges enjoyed by individual members to protect their persons, and to secure their independence and dignity, but all these are to enable the members as constituent parts of a legislature to discharge their duties and responsibilities to the House as representatives of the electorate. All privileges are intended to guard the functions of legislature undisturbed and are in the nature of constitutional rights of the House and its members in the discharge of their constitutional functions. I hold that in the matter of this election it is not the House that functions nor is it to enable the members to discharge their constitutional functions in or in connection with the House.

I hold that the complaint concerns the right of franchise of the members which may be a civic right but does not concern the rights and privileges of the House, nor of the members in connection with their legislative business or their constitutional functions. Neither is it in the nature of disobedience to the orders and rules of the House in the exercise of its constitutional functions, nor does it come in the category of obstructions and interference offered to the members or its officers in the discharge of their duties to the House or in the transaction of their legislative business. In the light of these observations, it is not within the scope of the Speaker to decide whether the new rule is *ultra vires* or *intra vires*. If it was a case of breach of rights or privileges of the House or of the members as such, it would be perfectly within my bounds to claim on behalf of the House and it would be my duty to guard such rights and privileges. I will be justified on your behalf and in the name of the House to disregard anything illegal, irregular or *ultra vires* concerning the rights and privileges of the House or of the members in their functions to the House.

It is not for me to enter into the merits of the case as to the legality or otherwise of the new rules or even to decide as your Speaker as to whether any right of franchise has been affected or not They are outside the scope of my authority. If there is grievance, the remedy sought for does not lie within the scope of the authority of the Speaker.

But I must state that it is fully within the competence of this House within its recognised forms of procedure to give expression to its views and grievances, if any, and in such proceedings, the House will be fully entitled to hear the advice and the opinion of the Advocate-General.

The Assembly was then adjourned for 10 minutes.)

(After adjournment.)

Attendance of Members in the Assembly.

Maulvi ABDUL BARI: We find that a register has been kept outside this House for recording the attendance of the members. We know that in courts civil and criminal only the clerks are required to sign registers and not the gazetted officers. Are we to understand that the members of the legislature have been brought down to the status of clerks, or are we to be treated as gazetted officers?

Mr. SPEAKER: Members will kindly realise that it is the first time that we are meeting, and I would ask Mr Abdul Bari whether he will be able to recognise all the members of this House. Human nature being the same all over, I hope Mr. Abdul Bari will realise the difficulties of the poor clerk of this Assembly in keeping the attendance register. I can assure the Hon'ble member that it is by no means intended to lower the members to the status of clerks, but it is only to help the clerk with a view to know as to which members are present and which members are not. If, however, there is any difficulty, I should be grateful if any member will come to my chamber and I will look into the matter.

We will now proceed with the adjournment motion.

Adjournment Motion.

Babu NARENDRA NARAYAN CHAKRABARTY: I beg to move that this Assembly do now adjourn to discuss a definite matter

of urgent public importance, namely, the warning issued on 24th July, 1937, by the Press Officer to the Government of Bengal regarding notification No. 6199P., dated 17th May, 1935, prohibiting among other things the publication of any information relating to Detenu Day or any information regarding any meeting or any action or statement in connection therewith."

The member spoke in Bengali of which the following is an English translation:—

Mr. Speaker, the possibility or necessity of this day's adjournment motion did not occur to myself or any member of our party either, even immediately before the present session of the Assembly. It is the unreasonable and unconstitutional attitude of the so-called "popular" ministry in Bengal to-day that is responsible for the present situation.

I do not wish to discuss the legality or the necessity of reviving a musty, stale, whimsical and prohibitory notification of May 19, 1935. Nor do I propose to dwell upon the inconsistencies existing between the previous pledge and the present attitude of the Bengal ministry. But I simply want to discuss the situation from the point of view of humanity only.

In accordance with a notification issued on 24th July last by the ...gal Provincial Congress Committee the Detenu Day was observed ...ver Bengal. There was no sedition about it, neither was it the ...ct of these meetings to express resentment against or lack of con...ce in the present Government. Sad and heartrending stories of ...life led by hundreds of helpless detenus who have been kept under...ation without trial were narrated in those meetings. All that the ...papers might have given publicity to would have consisted of ...l truths about the detenu's life as disclosed in the discussions held ...ose meetings. Hence, if the Ministers have no scruple or fear in ...ng under detention hundreds of detenus in Bengal even after the ... of seven long years, why do they fight shy of this newspaper ...city? Why are they afraid of it?

... I know that I shall not get any well-reasoned reply from the ...ters. Moreover, I do not know if they have any reply to make at ...But I would ask the Ministers to bear this in mind that they ... not think their position secure or hopeful because the press has ... gagged. It is not a very difficult thing to suppress the freedom ... press in a subject country. But the ministry have not the ... to stifle the deep voice of curse that springs from the bottom of ... stitute mother's heart in Bengal. The sigh of grief and the ... cry of the sisters and wives separated from their brothers and ...nds will pay no heed to the ministerial fiat.

Sir, every morning we read in newspapers reports of political prisoners being released in provinces like Bombay, Madras, Central Province, United Provinces, Bihar, Orissa and even in the Punjab which is considered to be the most reactionary of all. The Punjab Government have released not only the political prisoners but the martial law prisoners as well. When this is contrasted with the attitude of the "popular" ministry in Bengal, I not only think of myself as helpless and distressed but considering the present degraded political condition and the hopeless future of Bengal, I feel inclined to hold myself guilty. I hold myself guilty as I remember her glorious past—I hold myself guilty on account of her present impotence.

Sir, the anguished manhood of Bengal, her repressed elements craving for freedom, as also persecuted and distressed humanity are to-day before this Assembly for justice. For long Bengal has been familiar with exile, imprisonment and capital punishment and she never appealed for any justice on this account. But to-day she feels considerably embarrassed at the "kind treatment" meted out to her by her "popular Ministers" under the new constitution! She could afford to overlook the injustice done to her so long, because she knew full well that she would have to pay dearly for securing freedom from aliens and that was also why she had no resentment against the blows she received from them. But to-day she can ill-afford to pass unnoticed the blows aimed at her by those who claim to be the representatives of her people.

Sir, to-day I appeal to every single member of the House to forget all items of business and to concentrate himself on the sad plight of two thousand mothers in Bengal who have gone out of mind and an equal number of sisters and wives afflicted by separation from their brothers and husbands. Newspapers were the only solace of their heart. For, through their medium they received news of their incarcerated and detained relatives.

Sir, I had myself been a detenu for seven long years and as such I am thoroughly conversant with the mental agony of my mother and sister. The painful memory of their suffering is to-day agitating my mind afresh. In the name of the mothers, sisters and wives of Bengal I appeal to the House to give its full support to this adjournment motion which embodies in a concrete shape, as it were, the cursed life of the two thousand detenus of Bengal.

Mr. BARADA PROSANNA PAIN: Sir, I rise to second the motion for adjournment of the House. I confess, Sir, that I should have liked a little more time to settle down before taking part in any debate in order to make myself familiar with the kind of language

which finds favour in this House, so that I might, when I spoke, express myself adequately and properly; but the occasion to-day is too serious to let it pass without entering a protest, however devoid of vigour my protest may be. To me, it is a matter of amazement that a Ministry, the majority of which is composed of lawyers and some of whom during some period of their political career posed as leaders of advanced public opinion and public thought, could have made themselves parties to the repromulgation of a notification like this, which must really be abhorred and detested by all law and liberty-loving people. What amazes me also is that an Hon'ble Minister who clads himself in *khaddar* and who spoke the other day feelingly about Mahatma Gandhi, Pandit Motilal Nehru, Mr. C. R. Das and Mr. J. M. Sen Gupta and who at a recent Corporation debate, only a few days before he joined the Ministry, described the Government, which could detain Mr. Subhas Chandra Bose without trial, as a cruel and despotic Government, how could he too make himself a party to the promulgation of this notification, and how could he continue to be a member of the Ministry even after the notification was published. Deny it or not, Sir, the issue of the notification is an unmistakable confession of failure on the part of the Government that it is not able to face public opinion and that it has to hunt out from old official archives a notification which was forgotten by almost everyone in this province. To me, it is a matter of surprise that Hon'ble Ministers, wherever they go, whatever they do, whatever they say, even whatever they retract of what they previously said, they hand down carefully prepared copies of their doings and their speeches, so that an admiring and expectant crowd outside might read their brilliant utterances and their more brilliant achievements inside and outside this House. But at the same time they are so impatient of public criticism of their own acts and their own words that they would not allow these papers to publish what was said at the meetings in relation to what they say and do. I confess also, Sir, that I find it difficult to understand the meaning and sense of these prohibitions. If meetings were allowed to be held, if speeches were allowed to be made—speeches which apparently were feared—if large crowds of people were allowed to hear the speeches, what sense was there in holding out the sword menacingly over the devoted heads of poor newspaper editors? The only conceivable reason I can think of is that in this unfortunate country, newspapers have to give a heavy security deposit before they can publish their papers—a deposit which can be forfeited at the instance of the Government. If it was really feared that the speeches which would break the law or offend decency of language or thought would be delivered, why was no notification issued prohibiting the speeches before being delivered? (A VOICE: That will be done.) I hear a whisper that that will be done. That will be a necessary and fitting corollary to the issue of the notification, viz., the issue of an ordinance supplementing this notification.

In seconding this motion, Sir, I may be permitted to sound a note of warning to the Ministry—if indeed a warning is heeded at all nowadays. Let them remember that it will be folly for any one of them to forget that they made solemn and sacred election pledges to their constituents at the time of the last general election. Let them not also forget that whatever the constitution or the composition of this Assembly may be, there are here 55 disciplined, determined and dependable men who will not suffer any ministerial enormities to be committed for any length of time. To have detained thousands of young men and women without trial was an act of admitted cruelty. To have sought to stifle discussion and to ban publication of news regarding meetings which demanded the release of detenus is an act of shameless ministerial enormity.

With these words, Sir, I commend this motion to the acceptance of this House.

Mr. Shah Syed Golam Sarwar Hosaini spoke in Bengali and the following is an English translation of his speech:

Sir, no civilised country supports legislation and notifications of this kind by which freedom of speech and liberty of press are gagged during these days of democracy. It no doubt stands in the way of further progress of the nation's cause. But, Sir, at the same time, it cannot be a hopeful sign to encourage the detenus and terrorists. Some unfortunate Government high officials met with instantaneous death at Dacca, Chittagong, Midnapore, Comilla, and in Calcutta by a number of terrorist outrages that were committed from time to time which had blackened the history of Bengal. To put an end to these atrocious crimes this notification was promulgated in 1935 for which the present Ministry cannot be held responsible in any way. If the press express opinions sympathising with the terrorists and detenus, it may encourage and excite them again for commission of similar offences in future; for this, Sir, I think Government thought it necessary to promulgate the notification again. The Congress Party to-day are expressing their grievances by forceful speech on the floor of this House about the detenus and terrorists who have perpetrated heinous crimes, but what had they done to remedy the wrongs that were perpetrated by the rich on the poor peasants? Why are they absolutely silent about them? I am drawing the attention of the hon'ble members of the Cabinet to this sort of oppression and harassment that is being committed on the poor peasants by the rich. The political situation of this province differed from the political situation prevailing in other provinces. There are very few detenus and terrorists in other provinces, but the number of them in Bengal is legion. The Cabinet of Bengal is in no way inferior to that of the Central Provinces, United Provinces, Bombay, Madras and Bihar and Orissa. The present Ministry takes

more care for the country's interest than the Ministries of other provinces, and the Bengal Ministry has the full confidence of the public. I request the Congress Party to be patient and have talk with the Ministry without making any demonstration. For all these, I cannot support the motion put forward by the Congress.

While he was referring to the order of 1935, a member rose to a point of order and said:—

"Sir, the order passed in 1935 was an executive order, and I submit that it cannot be referred to by the member."

Mr. SPEAKER: It is not a point of order. I have repeatedly said that members should not rise on the plea of a point of order which is not really a point of order. It is really a question of fact against fact. If my friend desires to contradict any statement of fact made by the speaker, he can follow his speech, and an opportunity will be given to him to contradict any statement.

You are discussing an absolutely irrelevant subject. In discussing the political situation which has arisen out of this notice of the Press Officer, I think any reference to the agrarian situation created by the oppression of tenants by landlords is absolutely out of place.

A member from the right: Is there no Bengali reporter, Sir?

Mr. SPEAKER: No; but the matter is under consideration.

Sir GEORGE CAMPBELL: I have not been able, I am sorry, to understand the moving language which the mover of this motion used. I gather, however, that the matter mainly concerns the press and restrictions on the press and, therefore, it affects generally the propaganda publicity on this unfortunate subject. I suggest that the scope and character of this publicity has had and is going to have a considerable effect on the speed of the release of these detenus. I am informed—I am waiting for Government to give us further information on the subject—that a considerable number has already been released and it is the desire of Government to release more. But naturally they wish to proceed with the greatest caution, so that the release of these young men will not interfere with the liberty of many millions who are still free. Now, Sir, may I ask if the best publicity and propaganda have been used? Has not an undesirable limelight been

thrown on these young men? May I say that one is almost tempted to ask our Congress friends (and I ask in no frivolous spirit) whether they want to have their detenus or their grievance?

Some Congress member: Both.

Sir GEORGE CAMPBELL: Sir, you hear the answer. Surely nobody is questioning the genuine desire of all to have these youths released. Therefore, I suggest that Government should be trusted to take proper steps as they will the knowledge at their disposal are the best judges as to what sort of publicity should be given and what restrictions should be imposed.

Mr. AFTAB ALI: I had no desire to take part in this debate. But I beg to say that the issue before us is being mixed up with something else. I am not concerned at the moment as to whether the detenus are to be released or not—that is for the Government to decide. But the point we are discussing is whether we are going to have the liberty of the press or not. We on the Labour side are for the full liberty of the press. With these words, I enter my emphatic protest against the gagging of the press and crushing its liberty.

Maulvi ABDUL BARI: I assure my friends opposite, the members of the Congress party, that we have got the fullest sympathy with the question of detenus. But to-day we are not concerned with the question of their release. To-day we are discussing the question of the legality or illegality of the gagging of the press. That is the point before us. The mover of the motion made a feeling speech regarding the condition of the detenus. With that point I may assure him that we have got the fullest sympathy. But the point is whether the Government are justified in gagging the press and prohibiting them from publishing the news regarding Detenu Day.

Mr. SPEAKER: I think Mr. Bari has totally misunderstood the scope of this motion. So far as the notification is concerned, it existed in 1935. All that the Press Officer did was to issue a warning, and you are only to discuss the effect of the warning and not to say anything beyond the effect of that warning.

Maulvi ABDUL BARI: I bow to your ruling. The effect of the warning was the gagging of the press. As a matter of fact, the press could not publish any news because they apprehended that the security deposit would be forfeited.

Another question I would like to ask my friends opposite to consider, namely, whether the press should have the fullest liberty to publish any news, or they should have the license to publish any and every news. Liberty and license do not mean the same thing. The press should have the fullest liberty to say their say; but they should not have the license to abuse others and write things which might endanger public peace or which might embitter the feelings amongst the communities themselves. You know very well that the press in Bengal sometimes behave themselves in such a manner as to disturb the communal harmony among the people and sometimes they abuse persons in such a manner that public peace might be disturbed—— (A VOICE: "Yes, the *Star of India*." VOICES ON THE OTHER SIDE: "No, the *Amrita Bazar Patrika*, *Basumati*, *Advance*——.")

Mr. SPEAKER: I think it is a parliamentary convention, and I hope it will be recognised in this House that when a member delivers his maiden speech, he is heard without interruption. I am drawing the attention of the members to the fact whether it is not desirable that a maiden speech of a member should be heard without interruption, and I hope even Dr. Sanyal will not go to the length of interrupting him. But at the same time I would ask Maulvi Abdul Bari to remember that he can certainly refer to the ordinary leanings and behaviour of the press But he must not say too much, and he can develop his ... by showing the general tendency of the press. But when he is ...ing into the question of details, I am afraid he is going beyond ... legitimate limit. I hope the House will remember this.

Maulvi ABDUL BARI: I was going to say about the liberty of ...press. The press has a liberty and that liberty should not be ...ed to license and say things which might endanger public peace. ...e same time, I would like to point out that everywhere in the ..., in every independent country of the world, the Government ... sometimes to take steps against the press in order to run the ...inistration just as they like and in order that they might not ...sh things which would be a danger to public peace. During the ... War, Mr. Mussolini prohibited the publication of such news in ... Even Mr. De Valera took steps to stop such publication which ... endanger public peace. Hitler had to take similar steps. I say ...rs which might endanger communal harmony should not be ...ed to appear in the press. If the Government think that any ...ation was likely to embitter feelings, they would be justified in ...g an order like this. I would ask the Government, as represented ...e popular Ministers, that in future also they would take care that ...ing that is likely to curtail the liberty of the press should not be

done without the greatest scrutiny. So far as the present case is concerned, the Ministry cannot be blamed for issuing the warning as they simply allowed an order that is existing to be communicated to the press.

Mrs. Hemaprova Mazumdar spoke in Bengali in support of the motion.

Maulvi ABU HOSSAIN SARKAR: Sir, I speak on this motion because I consider that the notice like the one that is now under consideration is ill-conceived. Sir, the liberty of the press, the freedom of the press, I submit, is of first importance to all civilised Governments, and any Government that tries to take away that freedom in any way, I submit, cannot be termed a civilised Government. There is another reason, Sir: In some quarters an apprehension is felt that on that occasion there would be speeches made which would tend to encourage terrorism; no one can say, however, that actually sedition would have been preached at those meetings, or speeches would be made which would tend to sedition. The atmosphere at present is calm. The gentlemen on the opposite side admit it, the Congress Group practically condemn terrorism, from all quarters and from all parts of Bengal all men of sense practically also discourage terrorism; therefore, it may be supposed that the country is practically calm. Therefore, Sir, to anticipate things like that, that terrorism will be preached or terrorism will be spread or terrorism will be encouraged, although the atmosphere is so calm as is admitted on all hands, is rather premature or unnecessary.

Looking at the notification from another aspect also, I say that it was practically premature. The notification was issued in 1935 and some time should have been allowed to our countrymen to see whether the minds of the people have been changed by the inauguration of the present Reformed Government. Government, too, Sir, on their part should have waited a little more to see whether the people practically and actually discourage terrorism or not, but a hasty notice like this will rather embitter the feelings of the country against anybody who thinks like that. In this connection, I appeal to Government now to see their way to withdraw the notification as soon as practicable, to give time to the saner section of the country to appeal to the young men as well as to Government—the one side not to think of terrorism at all, and the other side to bring about a peaceful atmosphere in the country, as soon as possible. They should be given time to appeal to Government to take these steps.

Babu NAGENDRA NATH SEN: Sir, the question before the House is as regards the repromulgation of an order said to have been

passed in 1935. Some of my friends on the other side have said that the present Ministry should not be held responsible for something which was passed in the year 1935. But, Sir, that necessarily raises the question whether the present responsible Ministers of Government are in a position to say that they were unaware of this notification in the year of grace 1937. Now, will these responsible Ministers of Government say that they were not consulted in this matter or that they were consulted and with full knowledge of the facts before them they consented to the repromulgation of that order of 1935? Sir, we are often told that we are living at the present moment under provincial autonomy which was inaugurated on the 1st of April, 1937. Yes, Sir, we are living under provincial autonomy, but are we to understand that the constitution inaugurated on All Fools' Day is such that the responsible Ministers of Government are not always consulted in regard to important matters or that they cannot take courage in their hands and rise to the occasion and say that what was proper in the year 1935 or what was done in 1935 should not again be done in the year 1937?

The question here is not, however, in regard to the propriety or otherwise of Government interning a number of persons without trial. The question here is only as regards the publicity in the minds of the people in meeting assembled or otherwise as regards those detentions. If meetings of that sort are held to be permissible, what logic can there be in prohibiting news of those meetings to be published in the newspapers? There may be some among my hon'ble friends present here—of course, I do not actually know—whose son, nephew or any other relative may now be in interment, and is he not entitled to know the attitude of the people at large, the attitude of his countrymen as regards those detenus who have been interned without any trial? I have already submitted, Mr. Speaker, that the question of trial or no trial does not concern us. The only question is whether the Government order of the 24th of July last can be at any rate justified. I respectfully submit, Sir, that we want a plain answer, and we shall have that answer.

Mr. SYED JALALUDDIN HASHEMY: Mr. Speaker, Sir, all these days the more I am thinking of my awkward position, the more I am feeling helpless on the floor of this House: Helpless in the sense that for all practical purposes I am now between the devil and the deep sea. Sir, the motion of adjournment is there, and the decision of my party is there. But, Sir, I must submit——

Mr. SPEAKER: I must at this stage intervene and say that the decision of a party is an internal matter of the party and should not be referred to in the House.

Mr. SYED JALALUDDIN HASHEMY: I am coming to the question of the notification. I do not like to say a word about the principle that is involved in detaining a person without trial. It will be sufficient to remind this House through you, Sir, of the famous and historic pronouncement of Sir Abdur Rahim a few years ago on that particular proposition. I will only deal with the notification. To put it very briefly, Sir, I may say—I have been permitted to say—that it is adding insult to injury. (Hear! hear!) Sir, the notification No. 6199 P. of the 17th May, 1935, says: "Whereas the Governor in Council is of opinion.....or excite the sympathy with or secure adherence to the terrorist movement." So far as the opinion of the Governor in Council of 1935 is concerned, it may be all right. But, Sir, to-day in the year 1937, the Ministers with their responsibilities under the new Act seem to uphold the same view as the Governor in Council held on the 17th May, 1935. Sir, in my opinion, time has changed since. An ordinary student of psychology will bear me out that this sort of prohibitory order will not help Government in checking effectively the thing they want to check—I mean so-called terrorism in Bengal. Sir, may I ask the Hon'ble Minister to read the history of Russia? Did not Czarian Government fail and fail very miserably to check the rapid growth and development of communism in Russia, and there are many instances on the Continent and at other places. The responsible Minister will be wise not to agree now with the opinion which was held by the Governor in Council on 17th May, 1935.

Sir, to-day it has been pointed out by some of my friends that this particular order has been directed against a particular section of the people. I disagree with them, and may point out to some of my Muhammadan friends on my left that there are Muhammadan detenus as well of whom at least I know one. The Hon'ble Home Minister will enlighten me as to the number of Muhammadan detenus still under detention and the number released. The particular gentleman in question is the son-in-law of Maulvi Akram Khan, M.L.C., who is still under detention.

With regard to this ban on the papers, I mean curtailment of the power of the press, Sir, it may be that the term now applies to a particular section to-day, but it is not impossible that in the near future that particular order may fall on a certain section to my right, and it may be possible that in the near future this sort of prohibitory order may be issued by these responsible Ministers to the *Statesman* and other papers conducted by Europeans, and the day may not be very far when these Europeans and Anglo-Indians may be detained under a law which will be promulgated by the new responsible Ministers of Bengal. So, Sir, I appeal to my friends to my left and to my right to think and consider the matter not from the point of view of sentiment alone, not from the point of view of Mauser pistol, not thinking

of murder of one particular man or two particular men, but from a very wide angle of vision. Freedom of the press in this age is indisputable, and no human being with a grain of common sense can support this sort of order, an order which is still maintained by the present Ministers, and I can only say that they have not changed their mentality at all. With these words, I support the adjournment motion moved by my friend Mr. Narendra Narayan Chakrabarty.

Mr. SYAMAPRASAD MOOKERJEE: Mr. Speaker, Sir, I rise to give my support to the motion for adjournment moved by Mr. Chakrabarty. Sir, in doing so, I do not propose to deal with the sentimental aspect of the problem of the release of detenus which has been pressed before the House with so much ardour and eloquence which I do not think there is any one who does not appreciate. Sir, it is necessary for us first of all to realise the particular Act of the old Bengal Legislative Council under which this notification has been issued. Sir, that Act was passed in the year 1934 amidst the opposition of a group of members of the Council only a few of which have come back to the present Assembly. Sir, that particular measure, the Bengal Criminal Law Amendment Act, was a part of a series of legislative enactments which were put on the Statute Book by the then Government through the help of the then legislature for the purpose of meeting a specific problem and that was the problem of terrorism. Sir, as I was looking just now over the pages of deliberations of that particular meeting, it takes us back to January, 1934, I found that particular measure—the Bengal Criminal Law Amendment Act—under the provisions of which this notification was issued in 1935, invoked the wrath and condemnation of a number of members belonging to both Hindu and Moslem communities, and, Sir, I found to my intense pleasure that the person who practically led the opposition was no other than the Hon'ble Mr. A. K. Fazlul Huq, the present Chief Minister of the Government of Bengal. (Hear! hear!) Sir, I do not propose to rake up ancient history, but I believe that I may well remind Mr. Fazlul Huq of one or two passages from his speech which won the applause of all sides of the House, now three years and a half ago. He then pertinently described the action of the advisers of the Government in bringing forward such a drastic piece of legislation as unwise and unnecessary. In fact, Sir, he tried to probe deeper into the question, and he expressed the emphatic opinion that what, after all could be expected of a Government which was advised by people whose knowledge of men and things was no better than that of fifth class students of a third class private school. (Hear! hear!) But I do not think that Mr. Fazlul Huq has then the opportunity of examining, as I have been reminded, "the other side of the shield". I believe, Sir, he will explain, if any explanation is necessary from him, as to why he

allowed a notification to be brought to the notice of the public of Bengal under the provisions of an Act which was so justly and so strenuously opposed by him at the time of the initiation of that particular measure. Sir, there is one other thing perhaps which Mr. Fazlul Huq will recall. Mr. Fazlul Huq was very eloquent on that day, and he made this bold assertion, that it was only because the Government had a subservient Council at its disposal that such measures had been placed on the Statute Book. (Hear! hear!) Of course, Sir, the then President of the Council immediately called him to order, and the word "subservient" was withdrawn, and what Mr. Fazlul Huq declared was this: "Then I say that I do openly declare that this Council has always responded to the call of the bureaucratic Government to pass any measure of any kind of stringency." I am placing these quotations before the members of this Assembly so that this House may send a reply to the present popular Government of Bengal that this Assembly at any rate is not a subservient one, that this Assembly will not be a party to the passing or acceptance of a notification or resolution under enactments which are considered to be against the best interests of the nation and constitute serious encroachments upon the liberties of the people.

Sir, I now pass on to the question immediately before the House. I think, Sir, we have to examine the matter from two broad aspects. In the first place, we have to remember that when such measures were placed on the Statute Book there were men even like the late Sir William Prentice or the Hon'ble Sir Robert Reid who had realised and declared that the particular provisions which formed part of such enactments were extremely rigorous in character, were extraordinary and could be justified and applied only in an emergent situation. Sir, that is the important point which I would ask the members of this House to remember and to recognise. It was repeatedly asserted whether on behalf of the Europeans or on behalf of the members of the Government or other supporters, that under ordinary circumstances such a legislation could never be placed on the Statute Book, could never be brought forward by any civilised Government for acceptance by legislature, but the situation then existing, was an extremely serious one, that political murders were taking place, that it was necessary that Government should take ruthless measures to put a stop to terrorism once and for all. That was the main reason—and I believe every member of the House will bear me out—that was the principal policy which prompted the Government to bring forward such legislative measures. Very well, Sir, if that was the situation then, what is the situation to-day? That is a question which any responsible Minister has to ask himself—What is the situation to-day? There was a time in those days when the very suggestion or proposal for the release of one single detenu was opposed—and opposed resolutely by members of the Government. We differed from that policy, but we could appreciate the attitude—the consistent attitude which they took up, because they

honestly felt that such release was inimical to what they considered to be the best interests of the State. But, Sir, what is the position to-day? As some members have said, as the Leader of the European Group has himself said, is it not a fact that a large number of detenus has already been released? Is it not a fact that even the highest officers of the Crown to-day consider it desirable and necessary that in view of the change in the political situation, the detenus should be released and that we should return to normal conditions of administration? Sir, why go to exalted officers? What about the members of the present Cabinet themselves? Is it not a fact that so far as the Hon'ble Chief Minister is concerned—I have seldom read any report of any public speech delivered by the Hon'ble Home Minister, perhaps the Press Officer has been ruthlessly suppressing his public utterances—is it not a fact that Mr. Fazlul Huq himself has repeatedly said that the question of the release of detenus was a matter which the Government was determined to take up? What about the assurances given by another distinguished member of the Cabinet—I mean the Hon'ble Finance Minister? Sir, I am not referring to his Financial Statement which contained references to distinguished patriots now dead and gone, but I am referring to his own utterances when he said that the problem of the release of detenus was a question which the Government was bound to consider. Sir, can it be denied that so far as the present position is concerned, the question of the release of detenus is not looked upon by the Government itself in the same light as it was in 1934 or 1935 when the notification in question was issued? Sir, that is one aspect of the problem; and the other aspect of the question lies in the change in the constitution of the Government which has come into force from the 1st of April, 1937. I say emphatically that if such a notification was brought to the notice of some selected presses in Calcutta by the Government that was in power before the 1st April, 1937, I could have understood it; but, Sir, what is the change that is claimed by the members of the Government to have come into being since 1st April, 1937. In one respect the change is fundamental and complete. In previous times the Hon'ble Home Member was not responsible to the legislature, but at present the Home Minister is; and what, Sir, does this responsibility to the legislature mean? It means ultimately a responsibility to the electorate. The question which we put to the present Home Minister is—Does he as a responsible Minister consider that the circumstances which now exist warrant the issue of such a letter from the Press Officer? That is the question which the Home Minister has to answer, and answer not merely to the legislature, but answer to the public of Bengal. (Hear! hear!) Up till now, Sir Nazimuddin has not spoken; in fact, no one on behalf of the Government has spoken. So we do not know what attitude the Government is going to adopt. I now find, Sir, that the Hon'ble Chief Minister is taking down some notes. I hope to hear some utterance from him, explaining the conduct of the Government which has filled the mind of a large section of the

people with anxiety and despair. So far as this notification is concerned, what we say is this: The notification says that Government may restrict the publication of any information which, in the opinion of the local Government, tends to excite sympathy with or secure adherence to the terrorist movement. It will be just and proper for every member to ask the Home Minister what evidence he had before him—the Hon'ble Sir Robert Reid spoke of definite evidence before him in 1934—which induced him to publish such an unworthy and harassing notification. Sir, if the truth is that the notification was issued without his knowledge—we know, Sir, that such things had happened before in the Bengal Secretariat, and they do happen even now—if that is so, let the Minister get up and tell the House that this was so done and that it will be rectified immediately. But if, on the other hand, he does not say so and if he persists in the issue of such notifications, then, Sir, the public of Bengal will demand from him a full explanation of the circumstances which made him issue or authorise the issue of such a letter from his department. On the reply which he gives will rest the verdict not only of this Assembly but of the public outside—the verdict on the question whether the statements of Hon'ble Ministers declaring that there has been a tremendous change in the administration of the country after the midnight of the 1st April, 1937, are worthy of any serious consideration or not, the verdict on the question, whether there has been merely a change in name but the same bureaucratic irresponsibility continues to govern the administration. (Hear! hear!)

The Hon'ble Mr. A. K. FAZLUL HUQ: Sir, I had not the slightest intention of taking part in this debate, because I have found that ever since the inauguration of the Reforms there has been a persistent endeavour in certain quarters to carry on a propaganda against us, based on misrepresentation of facts, and attempts are being made in almost all quarters from which we could have expected sympathy and help to throw all sorts of impediments in the way of the discharge of our legitimate duties. During the last 18 days there has been a propaganda not merely in the press but also on the platform, depicting me as an apostle of communalism, and that I have suddenly been imbued with anti-Hindu ideals. I take this earliest opportunity of repudiating both these charges and declaring most solemnly that my feelings towards the great Hindu community are at the present moment as affectionate as they had been before. During all my trials and tribulations, and I have had more of these than falls to the lot of an ordinary mortal, I have been generously helped by my friends of the Hindu community; and I do remember the help and assistance they have always rendered with feelings of grateful remembrance. Sir, I therefore expected that when we assumed office we would be allowed at any rate that amount of sympathy which one brother has the right to expect from another.

My friend, Mr. Syamaprasad Mookerjee, has waxed eloquent over the persistent manner in which we have been taking bureaucratic ideals of Government, in spite of our profession that a great change has come over the system of administration of this country with the inauguration of the Reforms. Granting for a moment that we simply stepped into the chairs vacated by bureaucrats, therefore our viewpoints are changed; but I ask you, Sir, in all solemnity and sincerity whether my friends' viewpoint towards the Government has changed? Not at all. They are as critical, as unsympathetic and as impatient of criticism as they had been towards the bureaucrats who had been here before us. (Hear! hear!). I ask them, Sir, if they want our sympathy and if they want that we should in these circumstances behave as their countrymen and as brothers, we have got the right to expect them to change their viewpoint and give us the less of the impatience which they always display——

Srijut MANINDRA BHUSAN SINHA: Sir, can the Hon'ble Chief Minister refer to a particular speaker?

Mr. SPEAKER: Yes.

The Hon'ble Mr. A. K. FAZLUL HUQ: I am not going to take up [illegible] of this Council unnecessarily [illegible] (Several voices: Yes you [illegible]on. We want to hear you.)

friend, Mr. Syamaprasad Mookerjee has tried to confront me [illegible]ny passages from my speeches which I may have delivered [illegible]but I can only tell him that I am not going to go back upon [illegible]rds. Anything that really restricts the freedom of the indivi- [illegible]erves the severest condemnation. (Hear! hear!) I agree with [illegible]maprosad Mookerjee that any needless interference with the [illegible]f the press must be severely condemned, but you can see, Sir, [illegible]er in which the liberty of the press is being utilised by the [illegible]s: I am not going to name the paper—you can easily under- [illegible]hich paper I am referring to, but that paper devotes four [illegible]y its space to me and to criticisms—(A VOICE: You are not [illegible]) No, I am not a terrorist, but because I am not a terro- misrepresented, and I do not think that any one of you, if [illegible]a dispassionate view of the situation, will support the spirit in [illegible]tings like that are indulged in by the press. For what [illegible]the press for? In every civilised country the press is for [illegible]gitimate and fearless criticism and that criticism must be [illegible]proper appreciation of things.

Sir, I am not going to follow my friend Mr. Syamaprasad Mookerjee into a detailed examination of the justification or otherwise of the order that has been passed. I appeal to my friends on the Opposition Benches to give us more of their sympathy and the less of their derisive criticism. Do not for a moment believe that because we are sitting here opposite to those benches we have changed our mentality. You may not believe us, but let me assure you that there are difficulties in the way of our at once accepting any proposals that you may put forward. After all, the system of administration in this country has been the growth of a century and a half and the "steel frame" of the various Imperial Services which has stiffened adamant during the last 150 years requires very careful handling. (A VOICE: Careful and delicate.) I can assure you that the manner in which we have been trying to accommodate our policy towards your demand has already made many officials and many departments extremely restive, and we have got to proceed very cautiously and slowly. I deplore, although I am not condemning, the circumstances or the reasons which may have led——

Mr. TULSI CHANDRA GOSWAMI: What about other provinces?

The Hon'ble Mr. A. K. FAZLUL HUQ: The other provinces have not got problems of this kind. The other provinces have no detenu problem at all In other provinces they have got newspapers——

Mr. TULSI CHANDRA GOSWAMI: What about Burma?

The Hon'ble Mr. A. K. FAZLUL HUQ: I am reminded of Burma. I may bring it to the notice of the House that the news of the release of prisoners in Burma is absolutely untrue—more than one-third are still in custody. I can only tell you that so far as the other provinces are concerned, there also the Congress Premiers are looking into each case and disposing of that case on its merits.

Mr. TULSI CHANDRA GOSWAMI: Some of them are no doubt Bengali detenus.

The Hon'ble Mr. A. K. FAZLUL HUQ: I do not know. Here also, as I have often said, we are considering each case and as quickly as we can we are trying to release the prisoners about whom orders have already been passed. I have got orders of release issued on my own responsibility in the case of many persons and, believe me when I say that we are considering this question in the most sympathetic manner possible. I am very sorry, and sincerely sorry, that we have not been able to keep pace with the demand. The Hon'ble the Home Minister will make a statement by which it may be possible to come to some sort of agreement for co-operation between the members of Government and

the members on the other side, and a generous policy will be adopted which will give you satisfaction. I ask you in all sincerity and in all humility not to throw obstacles in our way. If you do not believe in our sincerity, there ends the matter; we are not going to bandy words with you and retort in the way it has been done this afternoon. I do not think that the manner in which things were going on and the atmosphere that prevailed were at all desirable. You may be in the opposition, but that does not prevent you from co-operating with us in a friendly way, whatever may be your opinion. One of the most difficult problems is the question of detenu. While on the one hand the public demand has got to be satisfied, on the other hand there are certain difficulties which we are willing to place before you and take you into confidence and ask for your advice. All points of view have got to be considered before you can come to a definite decision. Although you may refer to the other side of the shield and the other side of the picture, unfortunately it has got to be looked into and if you look to the other side of the shield or picture, if you can get a glimpse of the other side, you can then tell us the result of your experience. So far as the present question is concerned, it is a very simple one, and you have debated it sufficiently. I agree that a great deal of public feeling exists over the matter, and you have drawn pointed attention to it, but I appeal to you to leave the matter with us for the present. I hope my friend, the Home Minister, will be able to make a statement which will satisfy you.

I do sincerely hope that the time is fast coming when instead of looking upon our action with suspicion as you have done, you will be forced to look on our action as those of your friends, your own countrymen and your brethren, and I believe that although at the present we may be considered separated, one forming the men on the Government Benches and the other the Opposition, we and the members on the other side all belong to the great Bengali community, and we have got affection for each other and for the detenus as well. I may assure you that the detenus belonging to the Hindu community have always been as dear and affectionate to me as the youths of my own community. I may tell you of hundreds of instances to prove it. My sentiment of them has never been of a differential character. It does not matter to me whether a detenu is a Hindu or a Moslem; I look upon him as a youth belonging to the Bengali community. I am making this statement, believe me, that we are trying to do our best, but there are difficulties in the way. Do not add to our difficulties; come to us in a spirit of co-operation, give us your advice, give us your assistance, let us have sympathy, and I have no doubt with you on the one hand and we on the other putting our heads together will be able to bring about a successful solution of a very difficult problem.

I have got nothing further to say.

The Hon'ble Khwaja Sir NAZIMUDDIN: I am afraid there is very little time and, therefore, I do not propose to deal with the speeches of the various speakers and the points raised in them. In view of the statement already made by the Chief Minister, all I have got to say is this, that there was no new notification issued by the Government. The notification was published in 1935 and has the force of the law of the land, and its legality cannot be questioned as stated by me to-day in the Legislative Council Meeting. Under paragraph 9 of the Government of India notification of 1937, that notification has the same force to-day as it had in 1935. The Press Officer in sending the letter in question to the various newspaper offices merely did what he considered to be an act of courtesy and kindness. (Voices of interruption.) Certainly, I deliberately say that it was an act of kindness, because according to the law if any newspaper had published the reports of the meetings of Detenu Day, they were liable to action under section 2 (*a*) of the Press Act. Therefore, the Press Officer by drawing the attention of the newspapers to the existence of the law (it may be that all the newspapers did not get that notice) surely did an act of kindness. So the question of gagging the press does not arise. For the last two years, this Act has been in force and, therefore, the question of it being a matter of urgent importance does not arise at all. Let me state what the Government propose to do. Government want to have a discussion on the question of release of detenus, and they would prefer the debate to take place first in the Assembly as it is the more representative body. We have got our policy which we have not announced, but I can assure my friend the Vice-Chancellor .. .. .

Mr. SYAMAPRASAD MOOKERJEE: I am here not as the Vice-Chancellor, but as an elected representative of the people.

The Hon'ble Khwaja Sir NAZIMUDDIN: But he represents the Calcutta University. I can assure him that it was not due to any other reasonexcept that I wanted to announce the policy of Government in this House first. I consider this to be one of the privileges of the members of the legislature that Government policy should be placed before them first If the resolutions for which notices have been given are gone into, it will be found that resolution for release of detenus is low down on the list; if a discussion could be arranged on the detenue resolution, then Government can announce their policy. After that Government will be prepared to consider the question of the notification which has been the subject matter of this discussion. I hope that it will be possible for the Opposition to so arrange that the resolution, of which notice has beengiven but which has not received priority in the ballot under certain rules, can be taken up on the 9th. Government would very much like to have the discussion on the 9th on this question.

Mr. SARAT CHANDRA BOSE: Will you assist us in doing so?

The Hon'ble Khwaja Sir NAZIMUDDIN: Government will assist you in every way.

Mr. Sarat Chandra Bose got up to speak.

Mr. SPEAKER: I am afraid I must adjourn the House for prayer. Mr. Bose, I can give you two minutes.

Mr. SARAT CHANDRA BOSE: Sir, can I speak after the adjournment?

Mr. SPEAKER: No, after the adjournment automatically the time for discussion of this motion would be over.

A voice: Sir, on the last occasion, the time granted for *Asar* prayer was only 10 minutes. I submit that 10 minutes is quite insufficient for the purpose.

Mr. SPEAKER: It has been the invariable practice to grant 10 minutes for the *Asar* prayer and 15 minutes for the *Magrib* prayer, but if you want more time I would like to hear the Leader of the House on this.

SARAT CHANDRA BOSE: It is hardly any use my speaking in 5 minutes. If you give me five minutes, I may say something.

SPEAKER: Please try to be brief.

Voice: I move that the motion be now put.

SPEAKER: I think there should be a convention that when the Leader of the House and the Leader of the Opposition speak, there should be uninterrupted peace. After the Leader of the House has been given a hearing, the Leader of the Opposition must be given a

SARAT CHANDRA BOSE: The Hon'ble the Chief Minister has spoken, but I regret to say, and I say so with the utmost respect, he has spoken to no purpose. In spite of the warm-hearted appeal

of my learned friend, Mr. Syamaprasad Mookerjee, he has not made any response whatever. The question before this House is this: Whether there was any justification for the repromulgation of the notification of 1935. To that question the Chief Minister has not addressed himself at all, nor the Home Minister in the course of his speech. This House has to consider whether the circumstances in the month of July, 1937, were such as to demand the repromulgation of that old notification of 1935. Further, we all know that there is no Governor-in-Council now. The Press Officer, the Publicity Officer—I do not know by what description he calls himself, we find him described sometimes as Publicity Officer and sometimes as Press Officer—I do not know under whose authority he has repromulgated the notification. It has been said by the Chief Minister that the Act is there, and the Home Minister dittoed the statement by saying that the Act is there and the notification is there. But there is such a thing as making an Act a dead letter: there is such a thing as making a notification a dead letter. But instead of doing that, they have repromulgated the notification, and I say that the only expression which is applicable to this is that it is a piece of administrative lawlessness of the worst type. I would have expected the members of the Treasury Benches, if they were true to their professions, to wipe out such notifications and start with a clean slate and show to the people of Bengal that they are the champions of the people's rights. It is perfectly idle to take the revered names of Lokamanya Tilak, Moti Lal Ghosh, or Surendra Nath Banerjea—I say it is language of blasphemy—when we find the Minister repromulgating a notification that was promulgated in 1935. It is no use quoting the Congress scriptures. If you want to quote Congress scriptures, you have to follow them. I think it is perfectly idle (I repeat the word idle) to put forward the justification that the old Act still exists and that the old notification is still there and, therefore, it has got to be rescued from what ought to have been its proper place, namely, the wastepaper basket. Now, Sir, instead of the Hon'ble Ministers taking courage in both hands and making such old notifications dead letters, they have acted as publicity officers of a discredited Government—a Government which was discredited at the time when it came to an end—I mean the old Government under the Government of India Act, 1919. Instead of being the champions of the people's rights, instead of being the champions of the rights and privileges of the press, they have merely acted, I repeat again, as publicity officers of a discredited Government

Now, Sir, Mr. Fazlul Huq, the Hon'ble the Chief Minister, has complained of misrepresentations; he has also complained of criticisms. I should have thought that any one calling himself a popular Minister would not be afraid of criticism for one single moment. As regards misrepresentations, he has not referred to any single misrepresentation on the subject before the House, viz., the subject of the notification

of 1935. As regards criticisms, I would have expected, ordinarily, that he would realize, if he called himself a popular Minister, that winged words of criticism really scatter away the seeds of revolution. He ought to have welcomed words of criticism instead of making complaints. The Hon'ble the Chief Minister said that there was no new notification, and that it was an act of courtesy and of kindness on the part of the Press Officer to repromulgate it. I take it, therefore, that he takes responsibility for that notification. If he takes responsibility for that, may I ask him why, instead of saying so fairly and boldly, instead of saying that the Council of Ministers have issued this notification, he takes shelter under the old Governor-in-Council—an institution which has ceased to exist—as if that old Governor-in-Council still existed and the Press Officer under the old Governor-in-Council still existed? Taking shelter under that Act, I suggest, shows a lamentable lack of courage, shows a non-appreciation of the situation as it is to-day, and also shows that the Ministers instead of being popular Ministers are really acting as publicity agents of the old Governor-in-Council of 1935. Now, Sir, I ask, when is this administrative lawlessness going to end? When the Chief Minister rose to speak to-day that is what I expected him to state before the House. I expected him to assure this House that whatever may have been done in the past, he was going to tackle this problem and that, within the next few days, such notifications would be things of the past. I really expected that of him; but though he has said something on the general question of the detenus, he has not really addressed one single word to the question before the House this evening, viz., as to whether this notification was justified and whether the Council of Ministers consider that notification was justified. Now, Sir, I have heard the Chief Minister and the Hon'ble the Home Minister and find that, in spite of the appeal which my friend, Mr. Syamaprasad Mookerjee, made from Mr. Fazlul Huq the Minister to Mr. Fazlul Huq the man there has been no response. This side of the House, certainly, is not going to remain content with large promises for the future coupled with smooth excuses for the present. We call upon the Ministers, if they really choose to declare themselves as popular Ministers, to say boldly, clearly and in public tones, that what has gone before under the Act of 1919 will be a thing of the past and that the public of Bengal, and particularly the Press of Bengal, can look forward to a new era when their rights and privileges will be recognized. I shall, therefore, again ask the Hon'ble Ministers if he really wants to grapple with the problem seriously, if he wants to take the public into his confidence, if he wants to take the Press into his confidence, to give an assurance to this House that he will consider this matter seriously and take steps to withdraw this notification of 1935.

(The Council was then adjourned for 15 minutes.)

(The House then reassembled after adjournment.)

Mr. SPEAKER: Order, order. Under the rules, the adjournment motion has been discussed for two hours, and it is now automatically talked out. We shall now proceed with our usual business.

The Hon'ble Mr. A. K. FAZLUL HUQ: Will not the 15 minutes allowed for prayer be deducted?

Mr. SPEAKER: No.

The Hon'ble Mr. A. K. FAZLUL HUQ: Is that definitely in the rules?

Mr. SPEAKER: This has all along been the practice not to deduct the prayer time.

Signing of Attendance Register by members.

Mr. SYED JALALUDDIN HASHEMY: May I rise on a point of information, Sir? Is it binding on the members of this House to sign their names in this register?

Mr. SPEAKER: I have already said that it would probably be convenient for members to do so, because it would otherwise be difficult for officers of the Assembly Department to know who is present and who is not. I hope that will soon be possible for them to recognize the members, when I hope that this signing on the register would no longer be necessary.

Mr. SYED JALALUDDIH HASHEMY: Sir, may I inform you that this register is placed on a table without ink or pencil, and it is very derogatory to members to have to sign their names in it from day to day. I appeal to you, Sir, to protect us from this humiliating position.

Mr. SPEAKER: All right, I shall discuss this matter with the leaders of the different groups to-morrow.

We shall now resume the general discussion of the Budget.

GENERAL DISCUSSION OF THE BUDGET.

Mr. ABDULLA-AL MAHMOOD: Mr. Speaker, Sir, while I was pointing out to Dr. Sanyal that his figure was wrong as regards "Industries" as it stands in the Budget, I was told by him that I should read arithmetic or something like that I heard from some of the occupants of opposite benches. I rise to-day to say something to them who always profess to speak for the country, or at least for the masses of Bengal. It is true, we have had much advice from those occupying benches opposite to us, and we have had opportunities of listening to many such opinions from them before but at the same time we have many an exhibit of their past actions on record. But when I am going to discuss the Budget, I do not wish to discuss it from the point of view of how to balance it. I am going to discuss it in a different light. Now, Sir, the object of discussing—or allowing a discussion on—the Budget is not purely to elicit the views of the members of this House as to how both sides of the Budget may be balanced, but at the same time to enable them to have a say on the policy underlying the collection of revenue and the proposed expenditure under various heads. Dr. Sanyal in his speech has given the principal figures relating to the income of the Budget, but he has not given the House the actual figures on the head of expenditure side for the present year under the various heads. The Hon'ble the Finance Minister in his Budget [illegible]h on the 29th of July told us that there was a surplus budget this [illegible]and, further, he announced in the paper before that there was no [illegible]erence from His Excellency the Governor in its preparation.

[illegible] this connection, Sir, I would like to discuss some points in the [illegible]t, but at the same time I would like to draw the attention of the [illegible]e the Finance Minister to some of the speeches which he made [illegible] the year 1924-25, when he occupied the Opposition Bench. I [illegible]n this point here, because from the nature of the Budget that [illegible]en presented this year in this House, he has not been able to [illegible] us. I am just quoting a few lines from one of his speeches [illegible] he made during the year 1924-25. He said that the anomaly [illegible]t purse precludes the possibility of Ministers from getting what [illegible]ant. He went on to say in that deliberation that they cannot [illegible] the system under which they have to work. They cannot reduce [illegible]ength of the superior services, nor the salaries of their so-called [illegible]inates. By far the greater portion of the money allotted to [illegible]s swallowed up in paying for the paraphernelia of the administ[illegible] and little or nothing is left for useful work in the cause of the [illegible] building departments. Now let us analyse the budget which [illegible] prepared this year and how far it has satisfied us. I think with [illegible]uguration of the new constitution, we can say, that the purse [illegible]en placed under the Hon'ble the Finance Minister's control.

(Laughter.) The main sources of income practically are four. Land Revenue bears an income of Rs. 3,51,85,000—I quote the figures in thousands because my friends on the other side have neglected those figures and say that figures less than a thousand are not necessary to mention. But in a country where people do not get a drop of medicine and are dying of cholera, pox and other epidemic diseases, I think these sums should not be ignored. The income under Stamps is 3 crores 7 lakhs 65 thousand, under Customs 2 crores 23 lakhs, under Excise 1 crore 37 lakhs. The total receipts from these heads are 10 crores 19 lakhs and 50 thousand, and we get 2 crores 35 lakhs and 50 thousand from other different sources. Now, Sir, there is the total income of 12 crores and 55 lakhs, and the total expenditure has been shown as 12 crores 21 lakhs leaving a surplus of about 34 lakhs.

Now I draw the attention of the members of this House to the figures against each of the departments which Dr. Sanyal has mentioned, in lump sum, but I mention them in detail, that is, under Police 2 crores 27 lakhs 69 thousand, General Administration 1 crore 53 lakhs and 8 thousand, and Administration of Justice 1 crore 3 lakhs and 89 thousand. These three departments have practically taken 4 crores 84 lakhs and 66 thousand. Then come other departments that might be called the nation-building departments.

Education 1 crore 26 lakhs 68 thousand, Public Health 33 lakhs 98 thousand, Agriculture 11 lakhs 74 thousand, Industry 16 lakhs 69 thousand. These four make a total of 1 crore 89 lakhs 9 thousand.

Now, Sir, out of a total income of 12 crores 55 lakhs a sum of rupees 4 crores 84 lakhs and 66 thousand has been allotted for the Police and General Administration, whereas a paltry sum of 1 crore 89 lakhs 9 thousand has been set apart for the nation-building departments. Out of this sum 1 crore 26 lakhs and 68 thousand has been set apart for Education. So, Sir, we can see that more than one-third of the total revenue or income of Bengal has been set apart for the departments of Police and Administration.

Now, Sir, in the memorandum, we see that in the Budget of 1933-34 there was an actual expenditure of 2 crores 22 lakhs and 72 thousand for the department of Police. There has been an increase of 5 lakhs this year. I suggest, why not reduce the grant by 5 lakhs from the budgeted amount of this year? From the last year's budget only a sum of 56 thousand has been reduced. In this connection, I beg to suggest that the Police will have to change their outlook. Formerly they thought themselves to be under a Government which had absolutely no connection with the people. Now they will have to think that they are the servants of the people or the public. So, Sir, if Bengal can make an experiment, I beg to suggest that the expenditure under the head "Constables" might be dispensed with.

Under the head "General Administration", there has been an increase of Rs. 15 lakhs and 82 thousand than what was last year and of Rs. 31 lakhs more than what was in 1933-34 and Rs. 6 lakhs 36 thousand more has been allotted this year under the head "Administration of Justice."

(The Speaker had not finished when the House adjourned till 3-45 on Tuesday, the 3rd August, 1937.)

Adjournment.

The Assembly was then adjourned till 3-45 p.m. on Tuesday, the 3rd August, 1937, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Tuesday, the 3rd August, 1937, at 3-45 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, the eleven Hon'ble Ministers and 218 members.

Time of reply to Assembly Questions.

Mr. NALINAKSHA SANYAL: On a point of order, Sir. Under Rule 23, 15 days' notice is required for asking a question. May I explain it in this way that the Hon'ble Ministers must give replies to questions in time, that is, within 15 days from the date on which the notice was given and if they are not in a position to give suitable replies by that time, they will take the permission from the Hon'ble Speaker for extension of time.

Mr. SPEAKER: It is quite natural that I should be extremely careful if a point of order involves a legal interpretation. I do not think it would be fair to myself and to the House that I should be answering a question which might create a precedent for the future without full consideration. I am not therefore going to give a ruling on the point to-day, but after looking into the matter I promise to do so to-morrow.

STARRED QUESTIONS

(to which oral answers were given)

Hindu and Mussalman Munsifs.

11. Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Minister in charge of the Judicial Department be pleased to lay on the table a statement showing the number of munsifs, showing separately the number of Hindus and Mussalmans appointed during the period from January, 1937, to April, 1937?

MINISTER in charge of JUDICIAL DEPARTMENT (the Hon'ble Nawab Musharruff Hossain, Khan Bahadur): A statement is laid on the table.

Statement referred to in the answer to starred question No. 11, showing separately the number of Hindus and Mussalmans appointed during the period from January, 1937, to April, 1937.

Hindus	..	.. 15	(including 2 of minority community).
Mussalmans	..	.. 6	
Total		.. 21	

Mr. A. M. ABDUL HAMID: What percentage has been fixed in regard to this service for Muhammadan appointments?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: No percentage has yet been fixed.

Maulvi ABDUL LATIF BISWAS: Does the Hon'ble Minister consider the number of appointments given to Muslims quite adequate?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: That is a matter of opinion.

Maulvi ABDUL LATIF BISWAS: May we have the opinion of Hon'ble Minister in regard to this matter?

Mr. SPEAKER: You cannot ask for anybody's opinion.

Babu NAGENDRA NATH SEN: What is this disparity due to the number of appointment?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: These appointments are made by the High Court on consideration of respective merits of the candidates.

Babu NAGENDRA NATH SEN: What was the number of candidates for appointment as munsifs?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I want notice.

Maulvi AHMED ALI MRIDHA: Will the Hon'ble Minister be pleased to consider the desirability of following rule of the percentage fixed for each of the communities in regard to appointments?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Under the Government of India Act, section 255, Government is authorised to fix the percentage of appointments for different communities and in pursuance of that section we are considering what percentage should be fixed in this particular case. The matter is still under consideration and I am not in a position to tell you what will be the exact percentage.

Amount realised as process-fees and paid to process-servers for the last 3 years.

12. Mr. BIRAT CHANDRA MANDAL: Will the Hon'ble Minister in charge of the Judicial Department be pleased to lay on the table a statemtnt showing separately for the last three years—

(*i*) the amount realised as process-fee; and

(*ii*) the amount paid to the process-servers as pay?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur:

	1934.	1935.	1936.
	Rs.	Rs.	Rs.
(*i*)	25,25,204	26,89,254	27,34,378
(*ii*)	8,70,934	8,27,938	8,12,076

Babu NAGENDRA NATH SEN: May I know what has been done during these years with the surplus?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: The surplus formed the revenue of the province and the education expenses are being met therefrom.

Babu NAGENDRA NATH SEN: Will the Government consider the desirability of reducing the process fee in view of such huge surpluses?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Not that I know of.

A member: What is the underlying principle for realizing process fees?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: The principle is to realise as much as we can (Laughter).

Mr. SPEAKER: I would request the Hon'ble Minister to be more serious in his answer.

Mr. M. SHAMSUDDIN AHMED: What is the standard laid down for the realisation of process fees?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: There is a standard laid down and fees have been realised according to certain scales.

Maulvi ABU HOSSAIN SARKAR: In view of the huge amount of process fees realised, does the Government consider the desirability of bettering the pay and prospects of process-servers?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: The matter is under consideration of Government.

Babu NAGENDRA NATH SEN: Is it a fact that the process fee is within the jurisdiction of the High Court?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: Yes, the process fee has been fixed at the discretion of the High Court.

Maulvi AHMED ALI MRIDHA: Does the Hon'ble Minister consider the desirability of moving the High Court in the matter of reduction of process fees?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: I take that is a request for action.

Maulvi ABDUL HAMID SHAH: (In Bengali) Is it not a fact that the provincial revenues have been replenished by these process fees?

Mr. SPEAKER: That question has already been answered.

Process-servers.

13. Maulvi MOHAMMAD ABDUL HAKIM VIKRAMPURI: Is the Hon'ble Minister in charge of the Judicial and Legislative (Judicial) Department aware—

(*i*) that the bailiffs of the Calcutta Small Cause Court and the process-servers of the Sealdah Small Cause Court do the same process-serving work; but

(*ii*) that there is a difference in their pay and prospects of the said two courts?

(*b*) If the answer to clause (*a*) is in the affirmative, will the Hon'ble Minister be pleased to state what are the reasons for the differential treatment?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: (*a*) (*i*) Yes, to some extent. Knowledge of English is essential in the case of Small Cause Court bailiffs.

(*ii*) Yes.

(*b*) Calcutta Small Cause Court bailiffs are recruited from a different class. Sealdah Small Cause Court process-servers are paid on the small scale as all mufassal process-servers.

Babu NAGENDRA NATH SEN: In view of the answers given to questions 12 and 13, is it in the contemplation of the Hon'ble Minister——

Mr. SPEAKER: You cannot put supplementary questions in respect of a question which is over and to which no further supplementary questions can be allowed

Babu NAGENDRA NATH SEN: Is it in the contemplation of Government to raise the salary of process-servers?

The Hon'ble Nawab MUSHARRUFF HOSSAIN, Khan Bahadur: As I have already said, it is under the consideration of Government.

Maulvi ABDUL LATIF BISWAS: What does the Hon'ble Minister mean by saying—"Calcutta Small Cause Court bailiffs are recruited from a different class."

Mr. SPEAKER: I do not think that that question arises at all. You can draw your own conclusion on the point. What you can do is to put questions for further elucidation of points to which no information has been supplied.

Maulvi ABDUL LATIF BISWAS: Will the Hon'ble Member kindly explain what he means by "from a different class"?

Mr. SPEAKER: No, that is not a question and I cannot allow that.

Sites for the development of hydro-electric power.

14. Mr. ATUL KRISHNA GHOSE: (*a*) Is the Hon'ble Minister in charge of the Department of Commerce and Labour aware that the

good quality of coal in India is expected to be lost within a period of about 122 years as mentioned in the report of the Coal Mining Committee, 1937?

(*b*) Do the Government intend to take immediate steps to enquire into the question of selection of suitable sites for the development of hydro-electric power?

MINISTER in charge of COMMERCE and LABOUR DEPARTMENT (the Hon'ble Mr. H. S. Suhrawardy): (*a*) Yes.

(*b*) The question is receiving the attention of the Government.

member: Will the Hon'ble Minister be pleased to state whether he is going to appoint a Committee to expedite the matter?

The Hon'ble Mr. H. S. SUHRAWARDY: So soon!—No. I do not contemplate the appointment of a Committee as yet.

Mr. SYED JALALUDDIN HASHEMY: May I know whether Government has accepted the recommendations of the Coal Mining Committee?

The Hon'ble Mr. H. S. SUHRAWARDY: I submit that that ques- hardly arises out of this.

r. SPEAKER: The question is whether the good quality of coal in is expected to be lost within a period of 122 years as mentioned Coal Mining Committee. In view of that, the honourable mem- entitled to ask as to whether Government accept the recommenda- of the Committee, and it is open to the Minister to say, yes or no the matter is under consideration. In my view, the question is ler.

e Hon'ble Mr. H. S. SUHRAWARDY: Am I to answer the ques- to whether Government have accepted the statement of the Coal g Committee with regard to the fact that the good quality of coal dia is expected to be lost within a period of about 122 years or am nswer with regard to the entire report?

r. SPEAKER: I think the question is, whether the recommenda- of the Committee have been accepted by Government.

e Hon'ble Mr. H. S. SUHRAWARDY: As a matter of fact, it is e Government of India to decide to what extent they are going to the recommendations. I take it that the matter is under their eration.

Mr. SYED JALALUDDIN HASHEMY: Has the Hon'ble Minister examined the recommendations of the Committee and does he agree to the statement that the good quality of coal in India is expected to be lost within a period of about 122 years?

Mr. SPEAKER: I am sorry that question does not arise at the present stage.

Mr. SYED JALALUDDIN HASHEMY: With regard to answer (*b*), is it not too early to give attention to this report?

The Hon'ble Mr. H. S. SUHRAWARDY: I am afraid we move much quicker in these days than in former days.

Mr. JOGESH CHANDRA GUPTA: How long will this matter engage the attention of Government before any action is taken?

The Hon'ble Mr. H. S. SUHRAWARDY: With regard to the development of hydro-electric power, I have called for papers and I propose to examine all the previous suggestions with regard to hydro-electric power, and thereafter I shall consider the advisability of taking immediate steps in the matter.

Mr. JOGESH CHANDRA GUPTA: I ask, how long is it likely to engage the attention of the Hon'ble Minister before it is possible to take any action?

The Hon'ble Mr. H. S. SUHRAWARDY: That is much too problematical to answer.

Mr. SYAMAPRASAD MOOKERJEE: Am I to take it that it will not be possible to take any action until the period of 122 years mentioned by the Committee expires? (Laughter) (No answer).

Road from Bongaon to Maheshpur, Jessore.

15. Mr. SERAJUL ISLAM: (*a*) Will the Hon'ble Minister in charge of the Department of Communications and Works be pleased to state whether the district board scheduled *katchā* road of 28 miles from Bongaon to Maheshpur in the district of Jessore has been included by the Bengal Provincial Road Development Board in its five-year scheme for the purpose of metalling?

(*b*) If the answer to (*a*) is in the affirmative, what is the position and when is the work thereof expected to begin?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: May I, with your permission, Sir, answer this question in the absence of my colleague.

Mr. SPEAKER: Yes.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) No.

(*b*) Does not arise.

Babu NAGENDRA NATH SEN: Is there any possibility of this road being included in the near future in the five-year scheme?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: We cannot anticipate the report of experts.

Mr. SERAJUL ISLAM: Before I put further supplementary questions, I should tell the Hon'ble Minister that the Subdivisional Officer of Bongaon ——

Mr. SPEAKER: You cannot refer to the Subdivisional Officer or anybody else without specifically putting your supplementary question.

Mr. SERAJUL ISLAM: Is it not a fact that the project has been included in the programme?

The Hon'ble Sir BIJOY PRASAD SINGH ROY. No, Sir, it has been included as yet.

Babu NAGENDRA NATH SEN: On a point of information, Sir, as I referred to questions 12 and 13 which are of an identical nature of which No. 12 had already been disposed of, you were pleased to me out of order in respect of putting supplementary questions to which was closed. Am I not entitled to know under what rule you pleased to disallow that question, especially as my reference was to which, though already disposed of, was of an identical nature to other then under consideration?

Mr. SPEAKER: I think it is the inherent power of the Speaker to le as to what supplementary questions arise and what do not, and ever might be the affinity between one question that has already disposed of and another, I rule that the member had lost the right putting supplementary questions in respect of the former. It will merely an abuse of power if a member takes the opportunity of ing supplementary questions in respect of a question which has dy been closed in connection with a subsequent question. But it erfectly open to him to put his supplementary question without tioning the first one.

GENERAL DISCUSSION OF THE BUDGET.

Maulvi ABUL HASHIM: Sir, I rise to congratulate the Hon'ble the Finance Minister——

Mr. ABDULLA-AL-MAHMOOD: Sir, I was in possession of the House last night at the time of adjournment and should have my chance first to conclude my speech.

Mr. SPEAKER: It is quite true that yours was the first chance but unless you exercise your right of doing so by drawing my attention, nobody can help you. As soon as the questions were over, it was your duty to rise. When the point of information was raised, you did not do so neither did you do so when Maulvi Abul Hashim rose to speak. You have forfeited your right already and Maulvi Abul Hashim is in possession of the House.

Maulvi ABUL HASHIM: I rise to congratulate the Hon'ble the Finance Minister for presenting a surplus budget in this House. In the midst of condemnations, I believe this congratulation will to a very great extent produce a soothing effect enabling him to listen to my criticism with a dispassionate attitude of mind, as I think words of appreciation and praise are perhaps the sweetest of all music. In view of the financial position of Bengal in comparison to that of Bombay, Madras, the United Provinces and the Punjab, and in view of the heavy demands of Bengal for its proper administration, preparation of a surplus budget is really an achievement. It must, however, be admitted that much of the credit, if not the whole of it, is due to the Niemeyer settlement. The Hon'ble the Finance Minister, I have not the least doubt, will readily admit that the surplus budget is not always the best. A surplus shewn in the budget is worthy of universal admiration and is an index to the country's prosperity if that surplus is there after satisfying all the legitimate needs of the country. Members of this legislature would have returned to their constituencies with an infinitely greater sense of pride and satisfaction even if they could prepare a deficit budget making provision for the much needed free primary education in Bengal. This Government has been functioning for four months now from the 1st of April, 1937, but unlike the Governments of other provinces, popularly known as Congress Governments, this Government has to depend for its support upon as many as seven distinct and different groups. Considering these difficulties that stand in the way of harmonious and quiet working of this Government, mainly composed of oppressed and depressed classes, I do not know exactly if I am too early to subject this budget estimate to severe and ruthless

criticism. I am not good at figures and I am prepared to join an Arithmetic class if I be so advised by my Congress friends, just as I am prepared to join an English Grammar School if I am accused of my poor knowledge of English by my European friends. It has been said that Rs. 89,18,000 more than what was appropriated by the nation-building departments under the revised estimates of 1936-37 is demanded for those departments. This increased demand gives a very nice appearance, but if you go into details and carefully examine the budget, you will find how ineffectively this money has been distributed amongst the various departments. I am afraid I find nothing much to commend. A few thousand added to this or that department does not make any difference and does not serve any other purpose than that of getting applause for the makers of the budget. The people of Bengal will not get the full value of the money if the present distribution stands. Instead of showing great anxiety in immediate and all round developments, the Government of Bengal would have done well by confining their attention to one or two of the items. For example, we may take the item of land development, drainage and irrigation. The Hon'ble Minister for Works and Communications admitted in June last before the gentlemen of the Damodar Canal deputation which waited upon him in the Writers' Buildings that the Damodar Canal agitation was genuine. A few lakhs assigned to that item would have completely satisfied their grievances. Take another item, namely, the question of unemployment amongst the [illegible]ted youths of Bengal. This should have been taken in right [illegible]; a few lakhs added to the Industries Budget would have pro[illegible] excellent results. I do not at the present moment propose to [illegible]th primary education beyond what I have already stated. It [illegible]s that some money has been allotted for primary education but I [illegible]he Government of Bengal do not pretend to have done something [illegible] direction by doing so; I hope and trust that the Government of [illegible] are contemplating to prepare a satisfactory scheme to meet the [illegible] for primary education in the near future. Before I resume my [illegible] cannot help making one more remark. It is true that necessity [illegible]no law. Indirect taxation on necessities of life is extremely bad [illegible] there may arise some unfortunate circumstances when it is [illegible]y to take resort to this bad taxation. The tobacco tax completes [illegible] automatically sometime in June 1938 but I do not think one [illegible]tell at this time if it will be necessary in 1938 to retain this [illegible]. It is therefore not desirable that the makers of the budget [illegible]rom now plead for its continuance.

[illegible]onclusion, I congratulate the Government for starting a new [illegible]ent of Labour. The money just now allotted to this department [illegible]small but I hope and trust that greater and greater attention [illegible]aid to this department as it grows and develops.

Maulvi ABU HOSSAIN SARKAR: Mr. Speaker, Sir, the speech of the Hon'ble the Finance Minister may be a fine piece of literature full of sentiments which may appeal to the emotional section of our countrymen but to the poor masses of this country this fine piece of literature raises very little hope. The budget shows a surplus of Rs. 34 lakhs but on analysis it will be found that it is not the actual state of things. The surplus which is claimed by the Hon'ble Finance Minister is a "spoon-fed" one, or if I may be allowed to say, it is a beggar's surplus. The sum of Rs. 8 crores has been remitted by the Government of India for the relief of the Government of Bengal, so that the latter may be saved the sum of Rs. 23 lakhs by way of interest charges. Then again, Sir, the working balance of the Bengal Government amounting to Rs. 98 lakhs was practically advanced by the Government of India; and then the portion of the jute export duty, though it is a legitimate claim of Bengal, was yielded by the Government of India to the Provincial Government; and thus we have got practically these charity gifts from the Government of India and thereby a sum of only Rs. 34 lakhs is shown as our surplus. This is, Sir, one aspect of the budget.

Sir, if you now consider how the sum of Rs. 12½ crores is extracted as revenue from the people, you will see that the budget is not a satisfactory one for the province as a whole. Bengal is practically a land of emergency measures which have been extended on political grounds from year to year. Similarly, on the financial field we have got some emergency measures which were passed in 1935 when the population of this country was suffering from acute distress. I refer to the Tobacco Tax, the Amusement Tax and the enhancement of the stamp duties and court fees. This money was extracted from the unwilling public and the poorer masses who are practically living from hand to mouth. From a popular Finance Minister these poor people might have expected some kind of relief from the burden of the taxation on tobacco which touches directly the pockets of the agriculturists, and which should have been remitted by a popular Finance Minister. Instead of doing so we find that these five taxes are being renewed and that though the Finance Minister claims that the financial position of Bengal has improved to a certain extent yet the poor mass population of Bengal are kept under the heavy burden of these obnoxious taxes. Now Mr. Speaker, Sir, the Finance Minister might have curtailed some items of the expenditure of the Government, at any rate, the cost of administration which has increased from day to day. The usual police budget and other sums allotted to the different departments of Government swelled the budget while the mass population becomes poorer day by day. The burning questions of the day according to the budget estimates of the financial statement are agricultural indebtedness, unemployment of the middle classes, relief to labouring and agricultural classes and the question of the political prisoners. For

the relief of the agricultural population the Finance Minister has suggested propaganda, free compulsory primary education, irrigation and dredging of some of the rivers and canals. Now, Sir, this propaganda is a powerful thing, but I fear that the Finance Minister did not allot any sum of money for this propaganda. At the same time he likes to extend free primary education all over Bengal, but behind this pious wish there is a mild threat of taxing the poor population of the country. Sir, if you would tax the mass population for primary education, you practically take the school fee not from the hands of the students but from the hands of their guardians and this makes very little difference whether the students will pay or their parents or guardians will be taxed for this primary education.

Then, Sir, about irrigation we find that the Finance Minister confines his activities to West Bengal; and about the development scheme, *i.e.*, the dredging of rivers and canals, he confines his activities to Eastern Bengal. I hail from North Bengal and would like to ask the Finance Minister why North Bengal is to be excepted from the scheme. In the time of ancient Hindus, North Bengal was a *Pandab Barjit Desh*. I would ask him if that is the reason why North Bengal is excluded from these beneficial activities.

Considering the budget as a whole, Sir, as I have already submitted it cannot be considered as a surplus budget. It is nothing but a "spoon-fed" budget and this spoon-feeding is not always a desirable [illegible] in a country like ours. The Finance Minister says that with [illegible]ores the financial position of the country will be improved, but I submit that if the Government of India had not granted us the [illegible], the budget would have been a deficit and not a surplus budget. I submit therefore that the budget speech in whatever language it is [illegible]d does not state the actual state of things of Bengal finance. It [illegible]tically a thing which does not exist. It is thus shown to the [illegible] or at least to this legislature garbed in fine language and fine [illegible]ents.

[illegible] the Speaker calling on Sir George Campbell to speak, Mr. Debi [illegible] Khaitan stood up and said:—

May I enquire, Sir, on what principle speakers are called up?

MR. SPEAKER: Order, order. I do not think that it is up to [illegible]ember to question my action. Will Mr. Khaitan take his seat [illegible] I am speaking? It is entirely within the discretion of the Chair [illegible] out the names of the speakers and the Speaker has to select [illegible]rom the different groups of the House. It is, of course, a fact [illegible] did notice that Mr. Khaitan got up before I called up Sir George [illegible]ell, but long before that there were several gentlemen who [illegible]sed their desire to speak. In fairness to them I should call [illegible]p so long as they belong to the different groups of the House.

I do not think that the Speaker's action is one that should be questioned. If any hon'ble member thinks that the Speaker is using his discretion in a manner which is not in consonance with his position, the member is free to take such steps as he is entitled to, but certainly there should be no question regarding the action of the Speaker, who has to look to the different groups, to the interests of the Opposition, the interests of minorities. And I do not think that simply because Mr. Khaitan stood up once gives him the inherent right of questioning the discretion of the Speaker.

I now call upon Sir George Campbell to speak.

Sir GEORGE CAMPBELL: Sir, I rise to offer my congratulations to the Finance Minister both on his budget speech and on the budget which he has presented to this House. I feel that I should offer my sympathy too—in fact if I may say so, I think he should have got more sympathy from my friends to the right. I have heard it claimed that sympathy is their prerogative for suffering humanity. Perhaps, though I should hesitate to believe it, they have sympathy only for those of their own political creed. But I do suggest that under the exceptional circumstances of this first and most important pronouncement from the Government Bench the Hon'ble Finance Minister was entitled to go outside the bare facts of the budget and to give us a very interesting and comprehensive review of Provincial matters and their necessities in relation to the financial budget of the Province. Over and above that I suggest too that he was quite right in paying a tribute to those gentlemen who had been in charge before him under a different system of administration and had done so much to bring the Province to its present solvent condition. I feel, Sir, that the Hon'ble the Finance Minister must have shown considerable courage and determination before he came to this House because I can visualise what a heavy demand each of the popular Ministers must have made on him as they wanted funds for various schemes of their own and he must have had a hard fight to bring out such a budget and safeguard the surplus, which is in many ways a small sum, and so to arrange the finances of the Province that this surplus would grow and that there will be, as the years go on, more and more funds available for nation-building departments.

Sir, there is another point which I think the Hon'ble the Finance Minister makes. Although he is providing for certain new expenditure he expresses the opinion that what must come before that is the restoration of certain retrenchments that were previously made. I understand these retrenchments were made in times of great stress and I think that all moneys that are being retrenched now will have to be very carefully considered for reinstatement before entirely new departures are made.

Sir, I have little more to add. There are points on which we will want some information from the Finance Minister, but I would rather

myself merely conclude by paying a tribute to the statesmanlike budget that has been presented to us and to voice my appreciation of how the Hon'ble Minister undoubtedly realises that the best thing in the finances of the Province is to hasten slowly. And while he is undoubtedly a visionary looking forward to the good of the people of Bengal, his own financial experience makes him enough of a realist to appreciate that he cannot make bricks without straw. I once again congratulate the Hon'ble the Finance Minister.

Mr. DEBI PRASAD KHAITAN: I think it is really a piece of good fortune to our province that the Hon'ble the Finance Minister has been able in his first budget to produce a surplus. It will certainly make it easier for the new Ministry to launch on constructive programmes for nation-building purposes; but the reason why I particularly congratulate the Finance Minister is that he has struck a new ground in presenting this financial statement. In the past we have been accustomed to receive financial statements from the Finance Member simply as a collection of figures and as a statement of receipts and expenditure without a human background against which he would work. I am really glad to say that the new Ministry have struck a new ground in that they quite realise that the finances of the province to be dealt with by Government have to be treated as against a human background. It is indeed a matter of pleasure to find that the ...tant problems that affected the needs of the country are under ...sideration of the Government. But, Sir, where I cannot con... the Finance Minister is when he simply says that certain ...nt matters are under the consideration of the Government. ...d forward in the financial Statement to see forecasts of schemes ... nation-building activities of the Government that were really ... their consideration and that they would use the occasion of this ... for the purpose of eliciting the opinion of the various parties ...ow far they consider that certain programmes should be steps ...right direction and that certain programmes are more important ...e others and that certain programmes had better be abandoned ...vernment. It is quite possible that when the actual grants are ...ed various Ministers, each in his own department, will present ...chemes which are under their consideration. It is quite possible ...e Finance Minister did not like to take wind out of their sails ...esent all those schemes himself. But the matters that are ... the province are of such an urgent nature that it is necessary ...the whole House should be taken into the confidence of the ...ment and whether it be at this stage, or whether it be at a ...stage, it is necessary that we should know what are the schemes ...re being considered by Government for improving the condition ... masses and solving the question of unemployment among the ... class, for removing illiteracy, for improving the health of the

people and for launching upon many varied programmes that are so necessary for the welfare of the people at large. Sir, it is my firm conviction that the most essential thing that should be done for the benefit of the province is to increase its productivity, to increase production and consumption among the producers along parallel lines so that the people who produce things may be able to consume them themselves.

In these circumstances, Sir, it is necessary that much more attention should be paid to the development of industries and agriculture than the very small increased grants which are shown under those two heads indicate.

In the Department of Industries I find that the increased demand is only for Rs. 2 lakhs and under the head of "Agriculture" it is barely Rs. 1,38,000. It is quite possible that the surplus of Rs. 34 lakhs that the Hon'ble Finance Minister has in his hands is intended by him to be used in this direction; but no forecast of that has at all been given in his financial statement. When he winds up this debate I hope he will give us more information on this question. Dealing with the Department of Industries at this stage I would like to mention that it is very necessary that active steps should be taken for the development of cottage industries so that the masses who produce the goods would increase their purchasing power and they would themselves be able to consume the goods that they produce. For the purpose of encouraging the cottage industries it is in my opinion necessary to utilise all the various agencies that are at work. It cannot be said that cottage industries cannot at all be successful. They are to a certain extent already successful in this province. Though it is a matter of history that cottage industries used to be very successful in Bengal. There is no reason whatsoever why with adequate assistance from Government in that direction, with good propaganda carried on for the purpose of encouraging cottage industries and the Government purchasing the goods that would be manufactured in cottage industries, goods that are needed by the Government, why a great impetus cannot be given to the Department for the development of cottage industries.

Middle-size industries are very much needed to solve the question of unemployment of our province. I doubt whether the question of unemployment is as big in any other province as it is in ours. The number of educated people is increasing from year to year and unless industry and trade are given a fillip and unless a much greater encouragement is given to the development of trade and industry, I for one cannot say that any new avenues of employment can be availed of by the educated middle class. In these circumstances I feel it to be of absolute importance that the Government should give ever

increasing encouragement to the development of industries, whether they be on the cottage scale or small scale or middle-size scale or large scale.

Coming to the question of agriculture, though I am not an agriculturist myself, I venture to say that if sufficient propaganda is carried on among the agriculturists, if they are encouraged to grow more things which they need for their own consumption, things like vegetables, fruits and milk, it is certainly possible that the agriculturists can live a much better life than at present and they would be able to resist disease much better than they do at present and they would be in a better position to contribute towards taxation that may be necessary for the purpose of spreading primary education.

Sir, in dealing with the question of Medical and Public Health, there is one point to which I would particularly like to draw the attention of the Finance Minister, that is the spread of tuberculosis in Bengal. It is well known that tuberculosis is increasing from year to year in our province; but very little effort, if any, is made by the Government either to prevent that disease or to cure that disease. I understand that a sum of Rs. 3 lakhs has either been paid or promised by a distinguished merchant of this city for the purpose of establishing a medical sanitarium in Bengal. I do not know what steps have been taken for the purpose of utilising that gift and whether the Government want to utilise it or not. In any event whether that gift is utilised or not, it is the incumbent duty of Government to take immediate steps to see that tuberculosis is both prevented and cured. I hope that the Hon'ble Minister will enlighten us on that point.

There is just another matter on which I would like to be enlightened by the Finance Minister. I have been reliably informed that a sum of Rs. 90 lakhs is in a fund which is called unclaimed dividend in the hands of the Official Assignee. That is a fund which may very well form a nucleus for the purpose of giving encouragement to productive enterprises. I expected to read something in the financial statement which has come from the Finance Minister in regard to that large sum of money which is lying unutilised. I hope that when the Finance Minister winds up the budget debate he will enlighten us on that point.

Mr. SPEAKER: I think it would be convenient if I adjourn the House now for 15 minutes instead of adjourning in the midst of a speech. We have to adjourn at 4-45; so I adjourn it for 15 minutes only.

(Adjournment.)

At this stage the House was adjourned for 15 minutes.

(After adjournment.)

Mr. NIHARENDU DUTTA MAZUMDAR: Mr. Speaker, Sir, we have had the first budget under the new Government of India Act presented before this House, and it fell to the Hon'ble Mr. Nalini Ranjan Sarker to present that budget. The significant thing in this budget is the new mode of presentation where high hopes have been raised and promises have been given. But I am afraid, Sir, that with all my efforts to try and congratulate the Hon'ble the Finance Minister on his budget, I fail to do so except on the excellently-written speech and the promises and hopes which he has raised.

Let us now examine the budget presented by the Hon'ble Mr. Nalini Ranjan Sarker as against the human background, against the background of the whole epoch that has preceded the present Assembly—I mean the period covered by the 1919 Reforms. I am prepared, Sir, at the very outset to agree with the observation which the Hon'ble the Finance Minister has made that a budget which the Finance Minister in a responsible Government is to present should not be a mere account as in a business-house; but I regret to say, Sir, that in this budget the success lies in no other respect than in presenting as it were a balance sheet with all sides shown squarely, and even with a surplus shown at the end of the year. But, Sir, the significant confession should not miss our attention, where the Hon'ble the Finance Minister has confessed that the growth of receipts under land revenue is merely under arrear collections and that under Stamps and Jute is due to sustained economic recovery. Here, Sir, with this observation about sustained economic recovery, we find following closely at its heels the confession about the growth under Famine Relief, where the Hon'ble the Finance Minister admits that the growth under Famine Relief is not really an improvement, for it represents increased withdrawals from the Famine Relief Fund in order to finance expenditure on the relief of agrarian distress. We find side by side this tale of economic recovery and of agrarian distress, but, Sir, it is plain which part is the reality and which part is merely window-dressing for the purpose of the budget under the new Act? On a closer examination we find that the budget presented by the Hon'ble the Finance Minister reflects in all its details the whole character of the constitution and the whole character of the system that lies behind the budget—the whole character of the system that has adopted the Hon'ble the Finance Minister as a mere instrument to present the same old story but under a new garb.

It would be interesting in this connection to compare the present budget, particularly on the revenue side, with the budget presented in the first year of an earlier Reforms Act, *i.e.*, of the year 1921-22. We find, Sir, that the revenue in round figures in that budget came to nearly 9 crores 87 lakhs and 82 thousand rupees but that in the present

budget 9 crores 84 lakhs and 95 thousand rupees, minus, of course, the increment that we have got out of our share in the jute export duty; so that we find that the actual revenues of the province have fallen by Rs. 2,87,000, or ·3 per cent., *i.e.*, there has been an actual fall in the taxable capacity of the province. It is the windfall, so to say, which the province has got out of the proceeds of the share of the export duty on jute that has made this surplus possible. We find that although on the whole the net revenue has fallen, yet significantly enough, the yield from land revenue has actually been increased. In 1921-22 the amount collected from land revenue was roughly 3 crores 1 lakh and 89 thousand rupees. As against that in the Hon'ble the Finance Minister's estimate of the current year's budget he expects a land-revenue collection of 3 crores 51 lakhs and 95 thousand rupees, *i.e.*, an increase of 49 lakhs and 86 thousand rupees or over 16·5 per cent. Here we have a revealing factor in order to assess the true character of this so-called prosperity budget, which Bengal is being presented with. With the growing impoverishment of the peasants, with the growing impoverishment of the province, with the fall in the taxable capacity of the province we find that the amount collected from the peasants has increased. Is it any wonder that, unwittingly enough, the Hon'ble the Finance Minister presented the whole picture when he talked of a "sustained economic recovery," and yet had to confess that the reduction in the Famine Relief Fund was due to relief of agrarian distress. On a closer examination we find that to-day the peasant has to pay as land revenue 10 pice more in the rupee than he had to pay in 1921. And, Sir, I may point out to the House that on the basis of last year's collection, the Hon'ble the Finance Minister is going to take 6 lakhs more, *i.e.*, an increase of 2 per cent., in other words, for every rupee another pice more from the peasant. If, throughout this period, from 1921-22 to 1936-37, the peasant paid one to the rupee more on account of land revenue, this year he is going to pay 10 pice more for every rupee than he used to pay in 1921-22. That is a true index of the basic character of the budget which the Hon'ble the Finance Minister has presented. The whole incidence of taxation, the whole incidence of revenue collection falls on the poor man. In fact, Sir, it would be no exaggeration to say that the peasant to-day is to pay more, he is more taxed than he was ever before: It is very fresh in our memory that all duing the last year the whole of the Bengal press was full of woeful tales of agrarian distress, about the burden that methods of certificate employed by the boards imposed upon the peasants. Every pie, every penny, that we are getting in excess in our budget, in the last analysis, is, therefore, being squeezed out of the peasants. Here, again, we find that the main items of our revenue as the Hon'ble the Finance Minister has pointed out are Land Revenue, Excise, and Stamps. A slight examination of these three items would show that these are items which are

realized by direct taxation of the poor man. The whole incidence of this budget, the whole burden of taxation, is thus shifted on to the poor man. If we examine these major items, then we find that the peasant, the cultivator, is paying to-day actually two-thirds of the revenue budgeted for this province. And here we have the statement of the Hon'ble the Finance Minister, where he expresses his solicitude for the masses, for the cultivator. He says: "Behind the plough is the man with the plough, with his ignorance and superstitions, his crusted traditions and his rusted implements, his thriftlessness, and his tragic fatalism." Fine words indeed, and the whole blame now falls upon the peasant for his thriftlessness! We find that, steeped in debts, handicapped by a land-system, which the Hon'ble Minister himself admits is by no means the most scientific, the peasant has become a victim of disease and pestilence, a stranger to modern scientific methods of cultivation and marketing. But, Sir, we have yet to hear of any State where scientific methods of cultivation and marketing can thrive and flourish without State aid!

We have now had a glance at the revenue side of the budget. Now let us see how this revenue is going to be spent. On the nation-building items the Hon'ble the Finance Minister boasts of some increase, and he has pointed out that there has been a slight decrease in the estimate of expenditure for the Police. We find that out of about 2¼ crores to be spent on Police there is an apparent decrease of about Rs. 50,000; but a little later on the revealing fact comes that actually although the Finance Minister has shown a slight decrease of Rs. 50,000 in Police expenditure, there is an actual increase for Special Police and the C. I. D. Would we be far wrong in saying that this insignificant decrease, just for the purpose of window-dressing, has been effected at the cost of a comparatively docile section of the Police, and a more vigorous start has been given to one branch of the Police which is the most pernicious and constitutes that most dangerous element in the present organisation of the Police force. In respect of this section an increase will constitute a greater menace to public security and public safety. And, Sir, in presenting a budget of this nature the Hon'ble the Finance Minister cannot escape the responsibility for the consequences that will ensue.

I personally sympathized with the Hon'ble the Finance Minister when he was enumerating and citing the names of the glorious dead, names of the shining lights in the national galaxy, but that was only an expression of apology that he was trying to hold out for his acceptance of office. It reveals that the Hon'ble the Finance Minister is conscious of the implications of the budget and that he is uncomfortable in the company in which he finds himself. But although he has promised that he would revolutionise the budget, and would inaugurate a new epoch, yet, in actual fact we find that it has been a mere

promise and nothing more, and that in actual practice the old line has been perpetuated. Nothing new has been embarked upon. On the contrary we find that certain improvements which might have been made have been negligently omitted, or, the Finance Minister's attention was not at all drawn to them. Against the human background, against the background of the misery which our province suffers from, this budget has to be examined from another angle still. In examining the social service items what do we find as to the sums to be spent for the prevention of malaria? It is well known, Sir, that malaria takes a toll of a large number of people of our province every year. The victims that suffer would amount to about 2 crores and the number that dies no less than 4 lakhs every year. But, Sir, how much is spent on that account? Only 3 lakhs of rupees and if this sum is calculated on the basis of the number that suffers and on the basis of the number that dies we find that only 12 annas per head is spent on every death that takes place, and only a pice per head on everyone that suffers from malaria. Is it then any wonder, Sir, the malaria takes such a heavy toll? Out of the cinchona plantation Government takes a gross revenue of 12 lakhs per annum; not more than 4 lakhs are spent for administration and for the cost of production. That would give us a balance of 8 lakhs. Here, Sir, we find that against the total available fund of 8 lakhs only 3 lakhs have been spent and there has been hardly any improvement. We find that out of 8 lakhs that would remain as surplus after deducting the cost of cinchona plantation, 5 lakhs are diverted to other channels. Against this, and side by side with this, I would remind this House through you, Sir, of the tragic toll of infant and maternal mortality. We know that the infant mortality rate is hideously high in Bengal—200 per thousand—as against a much smaller number in England. And how much is spent for the prevention of maternal and infant mortality? Here you will see, Sir, that as against the figure in England where 64 per 1,000 die before they reach the age of one year we have in India, as I have said, 200 deaths per thousand. But only Rs. 28,000 is provided for the prevention of infant and maternal mortality, whereas we find that Rs. 1,79,000 is spent for police training schools. This is indeed a very sharp reminder of the character of the budget and of the fact that no change of any major consequence has been made.

I shall conclude, Sir, with one reference that I consider most necessary here. A grant of Rs. 28,000 has been proposed for the creation of a Labour Department. And we know that during the last 4 months that a Labour Department, with the Hon'ble Labour Minister there, a growing number of people is being victimised; the wants and grievances of the labourers are being more recklessly neglected and we find that there is a systematic policy of repression of the Trade Union movement. As a labour member representing a constituency of a lakh of electorate, representing the active mandate of 52,000 voters who have

sent me here I would record a note of protest against this grant. This House would be taking the responsibility before the workers for this sum of Rs. 28,000 which is being placed in the hands of the Hon'ble Labour Minister. Before he has the sum he must deserve the confidence of the labourers. I would ask the Hon'ble Labour Minister, before he can establish his claim to the confidence of the labourers, to face the labourers, to resign his seat and to approach the labourers for their mandate, and Sir, the verdict would be clear: The Hon'ble Finance Minister is taking the responsibility upon himself to perpetuate the burden of the poor man and to help the policy of repression that has been shamelessly going on on the jute workers.

The Hon'ble Home Minister disclaims all responsibility with regard to the Andaman prisoners, yet we find in the budget that 57 thousand rupees has been provided for the Andaman cellular jail.

The character of the budget will be further clear from one figure; the amount spent on item "Jail and Convict Settlement" is 5 lakhs and 7 thousand rupees whereas the entire sum spent upon items that may be called to constitute nation-building items does not exceed 3 lakhs and 52 thousand rupees. This reminds us that we are still living in the police regime, in the steel frame regime and the regime of the mailed fist, but only that it is put forward under a velvet glove. Sir, that is the budget, that is the subsidy which has been presented by the Hon'ble Finance Minister. If he is sincerely sorry, if he finds himself not in good company, he should take the first opportunity to come out and say whether his speech and his promises are all mere eye wash meant for window-dressing, or if there is any substance behind them.

Mr. DHIRENDRA NATH DUTTA: In discussing the budget presented by the Hon'ble Minister, Finance, the first thing that will occur to a careless reader, as observed by Dr. Nalinaksha Sanyal, is that only Rs. 9,92,200, excluding the expenditure incurred in Botanical and other gardens, have been allotted under the head "Agriculture" in a province where about 85 per cent. of the population live on agriculture, though we hear from the lips of the Hon'ble Ministers that they have got love for agriculturists. On further analysis it will be found that out of the above sum of Rs. 9,99,000 only a magnificent sum of Rs. 30,385 will be spent for purchase of food for cattle, purchase of seeds and implements, etc., and the balance will be spent towards the pay of the highly paid officers and the pay of establishment. Those of us who live in the district painfully know that in the district towns as well as in the subdivisional towns there are really apologies for agricultural farms where the agricultural officers have nothing to do except to waste their time in unnecessary gossip and draw their monthly pay. If by opening these farms we want to introduce a better form of

cultivation, if we want to introduce better form of seeds, at least agricultural farms must be opened one in every union in order to make the Agriculture Department a success. In fact the Agriculture Department has been kept up as if to show to the outside world that there is a department like this, and this may be said in respect of the other nation-building departments, namely, Veterinary, Public Health, Industry and so on. They have been ignored as they were ignored before with this difference that the Hon'ble Minister in charge of Finance has finished his speech with the cry of *Bande Mataram*.

When we come to Education, we get the same tale that there is no provision for free compulsory primary education, no attempt to remove the illiteracy of the people though we heard during election time and in election pledges that this would be thing of the past. In his Budget speech the Hon'ble Minister in charge of Finance has referred to the additional grant of 1½ lakhs to the Universities of Bengal as if it is a very substantial amount that has been provided for. On reference to the budget we find that the grant to the Universities amounts to Rs. 10,59,000 while in the year previous it was Rs. 9,56,000 but in the year 1933-34 it was Rs. 10,38,000—an amount almost equal to that granted this year. Only a magnificent sum of Rs. 5,000 has been provided for the construction of a hostel in the Viswabharati, a fact which did not escape mention in the speech of the Hon'ble Minister in charge of Finance.

Coming now to the real spending departments, namely, General Administration, Administration of Justice as well as the Police, we find an expenditure of 4 crores 84 lakhs and 66 thousand—grossly about 5 crores—that is two-fifths of the whole revenue—we find the old story. No attempt has been made to reduce the cost of administration; there has been no attempt to reduce the pay of highly paid officers. In the whole speech of the Hon'ble Minister in charge of Finance there has not been a suggestion that the cost of administration will be sought to be reduced and the pay of the highly paid officers will be sought to be reduced. We all know that there are difficulties in the way of the Hon'ble Finance Minister because it touches their pockets. But it is clear that unless the cost of administration is substantially reduced the efficiency of the administration cannot be improved.

Under head Administration of Justice the sum of Rs. 40,000 has been provided as an additional expenditure incurred in connection with the introduction of the new High Court Rules and Orders. Those of us who practise in the mufassal districts know that these High Court Rules and Orders instead of doing good, hamper the administration of justice. They have been objected to by the All-Bengal-Assam Lawyers Association:—memorials have been sent but as a matter of fact without effect.

When we come to the question of Police, police forms the main bulk of the all-absorbing departments. The Criminal Investigation Department and the Intelligence Branch are the departments for the good of British imperialism, and therefore they cannot but form the bulk of the expenditure unless the character of the administration is changed. In short, I will cite one instance as to how the cost of the police has increased. For the last 5 years the police are guarding the premises of the Abhoy Asram which is still an illegal organisation which was declared illegal in the year 1932. The Civil Disobedience movement has been called off and the country has settled down to normal state but Abhoy Asram is still as unlawful organisation, its premises are still as a notified area and the police are still guarding it. Can there be any justification for it—Abhoy Asram organisation which gave relief to thousands of the poor, to thousands of the distressed and the diseased people.

Sir, when there was a famine in our district the Abhoy Asram organisations sent volunteers to give relief to the suffering people. In 1929 when there was great distress the Abhoy Asram people spent Rs. 37,182-12-6 and afforded considerable relief to the people of the affected areas. The Abhoy Asram organisations opened out-door and in-door hospitals with 20 beds. There was an attempt to increase the beds but as a matter of fact in 1929-30 about 735 patients were admitted to the hospital and treated in the in-door hospitals and the number of patients who attended the out-door hospitals came up to 12,759. The organisations used also to maintain primary schools. But, Sir, such an organisation which affords such relief to suffering humanity is still kept under the surveillance of the police as the premises of the Asram are guarded by the police and the public at large have to pay for the maintenance of the police.

Coming to the expenditure under Jails we find, Sir, no improvement. Those of us who have some experience of the jails know what hardships the III class prisoners are subjected to. The total expenditure on district jails amounts to Rs. 12,70,000 and out of this, the sum of Rs. 5,21,104 has been allotted for the pay of officers and the establishment and Rs. 4,35,000 as "Dietary charges" for all the prisoners in Bengal. Sir, these figures speak for themselves. We further find that a sum of Rs. 24,000 has been provided as the charges for the State prisoners detained under Regulation III of 1818—that rusty Regulation and the prisoners under the rusty Regulation should have been let loose; and the public would have been saved this sum of Rs. 24,000.

Coming, Sir, to Civil Works, we find that the Assistant Superintendent of Police, Comilla, the Assistant Jailors at Comilla Jail, the Sub-Assistant Surgeons and the Subdivisional Officer of the Public Works Department are very fortunate because they have got electric lights and fans installed not in their offices, but remember, Sir, in their

quarters; while as a matter of fact it appears that the Additional District Judge of Tippera and the Sub-Judges and Munsifs have not got these amenities because there is no provision for the installation of electric fans in their benches. Sir, no provision has been made for the construction of hospital buildings in the town of Comilla although a new site was acquired by the Government for the purpose long before.

Coming to the question of irrigation I shall speak of my own district. The annual breaches in the Gumti embankment and the silting up of the river Titas cause floods every year and an annual destruction of crops and cattle over a large tract of land. We have been crying for years and still no provision has been made for avoiding the floods. In fact no provision has been made in the budget for remedying these evils which are long overdue. As a matter of fact the budget is an exact copy of Sir John Woodhead's budget and it is absolutely disappointing. In other words, it is an unnatural child of Sir John which has been adopted by Mr. Nalini Ranjan Sarker and is absolutely disappointing.

Mr. SPEAKER: In order that members on all sides of the House may not be inconvenienced I might inform them that I propose to go round the right side, then the front and then the left. It would therefore be convenient if the different groups and parties were to arrange and inform me a little beforehand as to who would desire to speak.

Maulvi ABDUL BARI: Sir, it has been the customary practice—a practice which has crystallised almost into a tradition, a tradition very and wholesome—for members of legislatures of all countries, climes and of all ages, to take part in the debate at the presentat the annual budget to the Assembly, to criticise the policy of Government, to dissect its activities and to examine its sinuous and veins and to suggest and propose measures and to practically the policy of the Government as far as possible. I take this unity, Sir, of stating my views on the budget and of offering my sms and suggestions as far as I can. But I want to tell the e Finance Minister and the members of the Cabinet—all of them a budget like this has been presented every year and discussions been made, criticisms offered, suggestions given, but to our ment and to the amazement of the whole country the suggestions were never given effect to. We want to tell the Cabinet Ministers e Hon'ble Finance Minister that the discussions that have been and the discussions that are being made and the discussions that ing to be made should not be treated lightly. They should not en as merely the suggestions of a debating club where speeches ered for amusement. We want the Cabinet and the Govern- to take the speeches seriously, to think over them, to ponder over eriously and to give effect to suggestions and to modify the budget

as far as possible in the light of the criticisms that are being offered. And if this suggestion is not adopted we shall be made to understand, as has been suggested here and it is suggested on the platform and elsewhere and everywhere in the country, that the reforms that have been offered are merely a sham—a mere paper transaction and this will be repeatedly said by us. It will resound not only in this hall but it will resound throughout the countryside; and I want the Finance Minister and the members of the Cabinet to realise that, although we on this side of the House are pledged to work the Reforms as far as possible and to support the Government, so far as they are amenable to reason and so far as they respond to the demands of the people, but if the suggestions and criticisms that are being made are not responded to and action is not taken on the suggestions made, then the members on this side of the House will not hesitate to throw out the Reforms and to bury it or rather drown it in the river Hooghly which runs very near to this House. I want the Ministers not only to hear the speeches but to take a note of the suggestions that are made. My esteemed friend, Dr. Sanyal, delivered a very good speech on the budget but at the same time he hurled abuses on the seasoned shoulders of the Hon'ble Finance Minister. Abuses have got to be hurled when they are deserved; at the same time when praise is due, praise must be given. I am not going to join the chorus of praise but the Finance Minister must have his due. I must give my congratulations to the Finance Minister for the attempt he has made in preparing the budget which has been presented to this House. The budget, as has been observed, is not only an arithmetical calculation but is made very pleasant reading and easily understandable. Not only the members of this House but outsiders also, if they read, will easily understand it. In previous years when we consulted the budget we found it was a mere abstraction of figures and nothing more than that. Moreover, I would humbly submit that the Hon'ble Minister has held up a ray of hope amidst an atmosphere surcharged with clouds of dismal financial outlook. He has at least tried to show that there are some measures of reform which are pending and these have got to be done. At the same time I must say that the budget as presented does not fulfil our expectations, it does not give effect to our hopes and when hopes are deferred and disappointed, they certainly cause disappointment and that comes over the heads of the Government when the time comes for us to judge. Sir, let me now take some of the items. First of all, I will take up primary education. Sir, you know very well, the members of this House know very well—none excepted, not even the members of the Treasury Benches—that the demands of primary education have been very insistent and persistent. You know very well that the country has been crying all along for this. The ears of our people have resounded with the promise of giving free and compulsory primary education. The people are crying because they cannot give adequate education to their children. The country wants food and raiment, the

country wants medical help and pure water-supply. But, Sir, the demand for primary education is becoming so much insistent and so much persistent that it outweighs all other cries. And you, Sir, know very well that as a result of the persistent demands of the people throughout the country only about 7 or 8 years back the Government was pleased to pass the Primary Education Act but to the utter astonishment of all that Act was shelved in the archives of the Bengal Secretariat and it has not seen the light of day. Of course, after the resumption of office you yourself, now our Speaker, drew up a scheme for giving effect to the scheme. I can tell you, Sir, that in our district of Murshidabad the District Board and the School Boards drew up a scheme and wanted Rs. 36,000 only to work it out in the humblest way but the same stereotyped cry resounded forth—there is no money—and the scheme failed and failed aboslutely beyond any hope of redemption. Then came the regime of the Hon'ble Mr. Fazlul Huq. Although I do not doubt the ability and sincerety of Mr. Huq but still if after taking up office he says that there is no money, I will say that he is resounding to the call of the bureaucracy and nothing more. Sir, I would remind him of his Bogra speech, his Chittagong speech by which he gave the people to understand that there would be free compulsory primary education. But, Sir, what is the budget figure? You, Sir, will see that only a sum of Rs. 24,11,000 has been earmarked for primary education as against Rs. 23 lakhs odd. No surplus has been budgeted this year as against last year. Do you expect that with a sum of 4,000 you will be able to solve the free primary education problem? edly not. This sum will not even cover the needs of half a dis- because in my district of Murshidabad according to the last calcu- if we wanted to start one free primary school under each union the figure arrived at by giving Rs. 15 as pay to each teacher, Rs. 36,000. Here the Hon'ble Finance Minister has only provided 4,000 for the whole Province. Is it not inadequate? I still ain that simply promises and honey-coated words won't satisfy ountry. I want the Finance Minister to see that these measures once taken in hand. Of course it will be asked by the Finance ter "where is the money". I say there is money if you will care d it. You have shown in the budget a sum of Rs. 45 lakhs which ave got from jute duty. Now, why not spend this Rs. 45 lakhs imary education? There is no necessity of saying that there is plus. The House will not be satisfied in having a surplus. The wants that the demands of the people should be satisfied. I that the Hon'ble Finance Minister will respond. I again say the money is there. You have detained so many people and you pending Rs. 50 lakhs for the detention of 2,000 men. Why not this detention, release these men—at least as many as possible—and opriate the money for primary education. Again if you will say e is the money, I say that the cost of general administration has 1/4th of the total receipt side in Bengal. Now, in no civilised

country, in no independent country of the world the cost of general administration is shown so high. If you read the budget of England you will find that the cost of general administration there is only 1/15th of the total income: in Japan it is 1/20th of the total income; but in Bengal it is 1/8th, and why? How is it to be reduced? If you are sincere, if you want to work, if you want to start free primary education, why not start a committee of enquiry, why not reduce the pay of judicial and executive officers——

A Voice: Why not make the salary of the Ministers Rs. 500?

Maulvi ABDUL BARI: Why not reduce the salary of the executive officers who are getting fat salary. If you do so you will find sufficient money available for the spread of primary education. The whole country remains unemployed. If you will only look to this problem dispassionately you will find that Deputy Magistrates and Munsiffs are available on a salary of Rs. 200. Why then spend, Rs. 500, Rs. 700 and Rs. 800 for them? So the money is there if you only want it: where there is a will there is a way.

Then, Sir, I submit another thing for your consideration, that is the question of madrasah education. I hope my friends on the other side of the House will agree that education must be given to the people whether it be madrasah or primary education. Whatever the nature of the education some education is essential. Of course there may be difference of opinion as to there being two kinds of education in this country. My friends on this side of the House think that all the people should be educated so that in course of time they may be able to come and side with the Congress, whatever sort of education they may get. It has been decided by the Momin Committee that for some time to come the people should be given madrasah education. The people should be given some sort of religious education and in order to satisfy the people you must give them something. But what do we find? We find that only a sum of Rs. 1,95,500 has been provided for the madrasah as against Rs. 1,90,000 last year. There are hundreds of madrashas in this province which do not get any grant. In my district there is a madrasah which has been in existence for the last 11 or 12 years at Madanpur but which up till now has not received a single farthing from the Government. Is it to be tolerated? I submit to the Hon'ble Finance Minister that some more money must be given to the madrasahs in order to satisfy the demands of the people.

Coming to the other question, namely, medical, what do we find? We find that as against the figure given last year the Finance Minister has only allotted Rs. 2½ lakhs for it. Now, the members of this House know very well that it has been the policy of Government to start union board dispensaries—one dispensary in each union. What would be the cost if one dispensary is started in each union? The cost must be

several lakhs more than Rs. 2½ lakhs. If you go to the countryside—I believe that the Hon'ble Finance Minister and the other members of the Cabinet will find opportunity to go from the district towns to the interior of the villages—you will find that even for one drop of medicine people are dying and giving up their lives untimely. Therefore I say that a sum of Rs. 2½ lakhs will not be adequate. It will be quite insufficient.

Under the head "Agriculture and Industries" what is the amount budgeted? It is only 1½ lakhs in excess of the last year for "Agriculture" and Rs. 2 lakhs for "Industries". During the course of discussion here it has been said that this petty pittance for Agriculture and Industries is not agreeable to the House and the expenditure under this head must be increased.

Then I find that a sum of Rs. 8,000 has been allotted for a Fishery Commission and for an expert to be brought from England for the purpose of enquiring into the matter of fishery in Bengal. I submit to the House and ask the Finance Minister what has become of the result of the report of the Gupta Commission that was submitted in 1922? Has it been given effect to? If the recommendations of that report have not been given effect to why not give effect to them now. Of course I don't mean Mr. J. C. Gupta here, but am talking of Mr. J. C. Gupta of the I.E.S. Why not give effect to the recommendations of Mr. Gupta. If you give effect to them you will save a sum of Rs. 8,000 ... allotted for Fishery Commission.

...hen again, coming to the side of Police we find that the cost under ...head has gone up very considerably and it is going higher and ...r every day.

(Here the member reached the time-limit and was allotted two ...tes for finishing his speech.)

...ow, coming to the receipt side I beg to say this much that the ...pt side shows an increase of Rs. 30 lakhs. I submit, Sir, this is ...flated budget. The Hon'ble Finance Minister said that there ... be an increase of Rs. 6 lakhs from the collection receipts. But ...mit that if this Rs. 6 lakhs of surplus is to be realised from the ...ue then certainly untold oppression will have to be undergone ...tenants. Who are going to pay? Certainly not the zemindars. ... will realise the money from the poor tenants, and by what process? ...ourse by certificate process. Under the present rules landlords ... been given the right of certificate. Sir, the Hon'ble Revenue ...ster has been pleased to circulate a Bill for the amendment of the ...ficate Act. Does he not feel the pulse of the people? Does he ...t that even after all this he will be in a position to press that the ...dment he proposes regarding the Certificate Act be passed by this ...e?

Again, the Hon'ble Finance Minister said that he will get Rs. 30 lakhs from Stamp and Excise. I submit that a popular Minister should not expect to get higher sale of excise, because the people of this country want to see this drenched country dry. We all want the revenue from Excise to go altogether.

It has been said that a sum of Rs. 3 lakhs will be collected from court fees. Does the Hon'ble Finance Minister not know that after the initiation of the Rural Debt Settlement Boards there will be fall in the sale of stamps? I submit, Sir, that it would be too much to expect that there will be a receipt of Rs. 3 lakhs or something like that from the sale of court fee stamps.

Lastly, Sir, the Hon'ble Finance Minister is entitled to praise for the trouble he has taken in preparing his first budget, but I would request him to take into consideration the suggestions made by us.

Mr. SHAH ABDUR RAUF: With the reforms we expected a reformed budget but unfortunately we find the same old stereotyped budget as we used to see since the Montague-Chelmsford Reforms. Since that reform the country has been crying hoarse for the introduction of free and compulsory primary education and for making arrangements for rural water-supply and for better medicinal arrangement for the rural people but after these long 16 years we find the same old budget presented here. With the reforms of 1st April, 1937, we expected to find a budget of the reformed type. We hoped to find in the budget more money provided for the nation-building departments and sufficient provision for making free primary education in the whole of this province. If we look to the table in the budget it will tell us that out of Rs. 1,20,68,000 provided for education, only a sum of Rs. 27,35,000 has been provided for primary education. Everyone coming from mufassal knows very well that the sum allotted for primary education is quite inadequate. The stipend for *gurus* is so very meagre that one cannot mention it in an Assembly like this. These *gurus* get Rs. 2 monthly and no more, including the sum paid by the District Board. The Members of the Cabinet while touring in the mufassal and in their election tours told the electorates they would make enough provision for making primary education free and compulsory. Of course it is compulsory under the law but it lies with the members of the Assembly to make primary education free. The Hon'ble Nawab Bahadur of Dacca in his speech in the Rangpur Town Hall in May, 1937, told the audience that in 4 or 5 months' time the Primary Education Act will be extended to all the district and that free primary education will be given to the people. Four or five months have already elapsed but we do not find any sign whatsoever of the promise held out by him being fulfilled. We know that to introduce free primary education all over the province without taxing the people, something like Rs. 2 crores will be required. Out of this only

Rs. 27,15,000 has been provided in the budget. But there is a surplus of Rs. 55 lakhs, as we find from the speech of the Hon'ble the Finance Minister, from jute duty. That makes a sum of Rs. 82,15,000. With the contribution from the District Boards the whole amount will be Rs. 1 crore and the balance of Rs. 1 crore, I submit respectfully, can be raised by taxing the people. In this way education can be made free and compulsory.

Next, out of the sum that has been provided for Education we find Rs. 13,97,000 for inspection and direction charges. Here I want to say a word: that a large sum of money can be saved if some of the posts in the Inspection Department can be abolished. I find, Sir, that formerly there was no post of Assistant Director of Public Instruction for Muhammadan Education; also there was no post of Assistant Inspector of Schools for Muhammadan Education. Of course these posts have been created with a view to help Muhammadan education but I submit that a few posts have only been created but enough money has not been provided to the Education Department for the purpose of propagating Muhammadan education. Simply creation of posts of Assistant Directors of Public Instruction for Muhammadan Education and of Assistant Inspectors of Schools cannot help the cause of Muhammadan education in the way that we desire. If it is really the desire of Government to help Muhammadan education they must make sufficient grants for that purpose, and my friend Mr. Bari has mentioned that grants are not always given to the madrasahs and I also [illegible] the same with him. In every Division there is also an Assistant [illegible]tor of Schools for Muhammadan Education, who always holds [illegible]pes of grants, but unfortunately those hopes are never fulfilled [illegible] ground of paucity of funds. Then, again, Sir, the posts of [illegible]isional Inspectors of Schools can be easily abolished, and the [illegible]ved thereby can be provided for primary education.

[illegible]ming to Medical and Public Health, I am glad to find that under [illegible]ad "Grants for Public Health Purposes" Rs. 3,50,000 has been [illegible]ed for rural water-supply as against Rs. 1,92,000 provided in [illegible]dget for 1936-37. But, Sir, the question is how is this money [illegible] to be spent, and I ask the Hon'ble Minister for Public Health [illegible]ghten us on this point. Is this money going to be spent through [illegible]l Officers or through the medium of District Boards? I suggest [illegible]ll this money should be spent through the medium of District [illegible]s and Union Boards. Then, Sir, out of a total grant of [illegible],98,000 only a paltry sum of Rs. 4 lakhs has been provided for [illegible]mic diseases, while the public health establishment expenses come [illegible]. 5,52,000. You know very well, Sir, that Malaria and Kala-azar [illegible]reating a havoc in many mufassal districts. Districts on the [illegible]r of Assam have always been infected with Kala-azar. In this [illegible]xion I may mention Rangpur and Mymensingh, but enough money

has not been provided for Kala-azar. I also respectfully draw the attention of the Hon'ble the Minister for Public Health that enough money should be provided for Kala-azar specifics. Formerly, in the days of the old Government, sufficient money used to be provided for Kala-azar specifics, which the District Boards used to give free to the people, but for the last two or three years these specifics are not being given free, with the result that the poor people who cannot pay for them are going without any sort of treatment whatsoever. So, I respectfully request the Hon'ble Minister for Public Health that enough money should be provided for Kala-azar and Kala-azar specifics should be given free to people so that they may have proper treatment when attacked with this fell disease.

Then, Sir, coming to the Agriculture Department, out of a total expenditure of Rs. 11,74,000 we find that almost the whole amount is proposed to be spent on establishment charges and only a very small portion for the purchase of seeds, cattle, etc. As everybody knows, Sir, a number of people have been provided for this Department, but what do they do? Do the cultivators get any real benefit from this Agriculture Department? I suggest that, instead of having this top-heavy establishment, the money that can be saved by abolishing some posts should be spent for a demonstration farm in every thana, with a demonstrator, and for providing each Union Board with a bull for the better breeding of cattle. Out of this Rs. 11,74,000 I find that the establishment charges in the Agriculture Department are Rs. 5,25,000; Experimental Farms Rs. 1,87,000; Agricultural Experiments Rs. 65,000; Agricultural Educational Research Rs 1,08,000; Botanical and Public Gardens Rs. 1,81,000; and Public Exhibitions and Fairs Rs 2,700; and so on.

Coming to the Veterinary Department, we find that out of a total expenditure of Rs. 5,43,000, the major portion of the amount is spent on establishment charges. If we really want to give any benefit to agriculturists we must provided for breeding bulls to have cattle for the country—better milch cows. I have already said that in every union there should be provided a bull at Government expense, and the maintenance of that bull, also, should be provided by Government. If these two things can be done, I think some real benefit will accrue to the rural population; otherwise a top-heavy department like the Veterinary Department cannot do any good to our country or to the people whom we represent here.

Everybody has been crying hoarse since the inauguration of the Montague-Chelmsford Reforms for the improvement of the nation-building departments, and everybody has been making speeches, here in this Assembly Hall, on that subject, but, Sir, the whole point is whether the Cabinet is going to listen to the suggestions of the honourable members. My friend Mr. Bari has rightly hit on this point, and I would not therefore like to dilate on that. But I would venture to

give some suggestions to the Cabinet Members which I hope they will be pleased to give some consideration to. There is no use blaming the Finance Minister for the budget he has prepared. Under the present circumstances, I think there was no other alternative for him but to frame it in the way in which he has done. His labours must be rewarded, and I congratulate him upon the speech that he delivered the other day from which we have been able to gather many things about the Finance Department. But I say, Sir, the whole thing must be remodelled. I find that my esteemed friend, Dr. Nalinaksha Sanyal, has given notice of a resolution suggesting the appointment of a committee to find out what retrenchments can be made by overhauling every department of Government. I welcome the suggstion that a committee should be formed—an inquiry committee or a retrenchment committee, so that all the departments of Government may be overhauled from top to bottom. Everybody in this House has been feeling that the administration is a top-heavy one, and every one is of opinion that the salaries of Government officers should be curtailed and posts of officers who are unnecessary and are merely conduit pipes in the long chain of administration should be abolished. Therefore, Sir, let us be up and doing. Let us form a committee; let us take every department from top to bottom and see what retrenchments can be effected. Everybody has been complaining that the salaries of Government officials are really higher than those of any other country; so, by retrenchment, if possible, we may have enough money to meet our requirements. The funds that we may have by curtailing the unnecessary expenditure may be spent for the improvement of primary education, rural health, and water-supply. With these few words, Sir, I beg to resume my seat.

Maulvi ABDUL MAJID: Sir, while we are congratulating ourselves on the possession of a small surplus over expenditure, it will be well to remember what the surplus is due to. It is a well-known fact that the Government of Bengal has shown a persistent deficit of about three crores of rupees annually for the last two years, and it is not until the Government of India consented to transfer to this Government 62½ per cent. of the net proceeds of the jute tax that our deficit turned into a surplus, which the Hon'ble the Finance Minister estimates at about 34 lakhs. Now, Sir, it is the Government of Bengal that has maintained all along that the incidence of the jute tax fell on the producers, viz., the jute cultivators of Eastern Bengal; while the Government of India maintained that at least a portion of this fell upon the consumers. We have now won in the controversy, and now it has been a fundamental system of our finance that there should be at least about 2 crores of new revenue on account of the jute which is contributed by the jute cultivators. But the question may now be pertinently asked what have we done, or what do the

Government of Bengal propose to do for the jute cultivators? We have given definite pledges to our constituencies that when we took our seats in the Assembly we would introduce free and compulsory primary education in the province. We would adopt measures for the amelioration of the conditions of the people by making improvements in our public health and by taking steps to supply them with good drinking water. But, Sir, from the budget that has been presented by the Hon'ble the Finance Minister on the 29th of July we do not find sufficient indications of the recognition of the jute cultivators in view of the fact that they contribute so much to the public exchequer.

Now, Sir, coming to the question of primary education, there is a persistent demand in the country that free and compulsory primary education should be introduced at once and if I remember aright the Hon'ble the Chief Minister, who is also the Minister of Education, has said more than once that he is anxious to introduce free and compulsory primary education; as a matter of fact it is one of the chief missions of his life as Minister for Education to see that free and compulsory primary education be introduced, but Sir, I regret to say that in the budget we do not find any indication of his taking any early step with that end in view. We also hope that the Cabinet will take early steps to introduce free and compulsory primary education in the province. The question of money must be solved; money must be found for this urgent and immediate measure. In the meanwhile the existing schools imparting education to our children should not be allowed to suffer for want of funds. Is it possible that the teachers who sometimes get less than a rupee should be able to educate our students? What kind of education could we expect from a teacher who gets such a remuneration? Sir, I submit that a little more than one lakh has been provided for primary education. This amount is too insufficient and I pray that the Hon'ble Minister for Education may consider that sufficient money should immediately be provided for the existing primary schools in this province. We find that the Hon'ble Minister has provided sufficient money for University education. We find that he has given more than one lakh and a half for University education. With the money of the cultivators you have built colleges, you have built universities, you have built Science Colleges but you have not realised the responsibilities of the poor men. It is your duty, urgent duty, that you should consider the demands of the poor cultivators as soon as possible.

Now, Sir, closely connected with that is the question of rural sanitation and prevention of epidemics, namely, kala-azar, cholera and small-pox that are ravaging the country. For want of good drinking water many tracts of the country, specially the char area, suffer. Unless this problem of urgent necessity, namely, the supply of good drinking water, is solved the question of improvement of rural and public health will remain unsolved as ever. From the budget we find that sufficient money has not been provided on this head also and I

would suggest, Sir, that effective measures may be taken for the prevention of epidemics. Two or three units of sanitary people with necessary dispensing apparatus should be established in every area so that when cholera or small-pox epidemics break out, early and first aids may be given so that they may not spread, and I would request the Hon'ble Minister to make provision for sufficient money.

Now, Sir, regarding the grant to the University I would like to say one thing—I mean the Calcutta University. The Hon'ble Finance Minister has made a provision to give 1½ lakhs more to the University than what was paid last year, but I should enter my protest against this and it is for this reason that the University of Calcutta has always neglected and overlooked the grievances of the Muhammadans of Bengal and they have not at all taken into consideration the claims of the Muhammadans. The Government of Bengal has little or no control over its administration even in the matter of granting aids to high schools, even after repeated recommendations of the authorities—I mean the Education Department. These high schools do not get recognition simply because it is a Muslim venture. Under the circumstances would you like that the University of Calcutta should get any more assistance or any assistance whatsoever from the public?

Sir, I beg to draw your attention and for your consideration another fact. I find that there is a singular omission in the budget of the Hon'ble Finance Minister regarding retrenchment. It has been said and heard many a time from all places that ours is a top-heavy administration that the officers are getting high salaries unprecedented in any [illegible] of the world. My learned friend Mr. Abdul Bari has quoted [illegible]ures of England and Japan, but in this province although there [illegible] retrenchment committees one after another, what is the reason [illegible] recommendations of the Retrenchment Committees were not [illegible]ffect to. Is it proper on the part of the Cabinet to sleep over [illegible]mmendations of the Retrenchment Committee? I submit, Sir, [illegible] popular Ministers should not sleep over that recommendation [illegible] Retrenchment Committee and I think there is much scope for [illegible]nment. Money must be found for nation-building departments. [illegible]oney that has been allotted is too insufficient: I am not here to [illegible] where the money would come from. Money is there: if you [illegible]etrenchment you will find there is enough money for the nation-[illegible]g departments. I am sorry that in the budget no indication [illegible] retrenchment has been given, nor do I find any in the speech of [illegible]n'ble Finance Minister. With these words I submit for the [illegible]eration of the House that the Hon'ble Minister should take early [illegible]or the retrenchment of the offices and salaries of the officers so [illegible]ough moneys may be found for nation-building departments.

Maulvi MUHAMMAD ISRAIL: Sir, this is the first budget [illegible]ted by the popular Government under the Provincial Autonomy.

I think most of the points have by this time been touched by many of my friends. On a perusal of the budget estimate as well as the speech of the Hon'ble Finance Minister in support of it, one must inevitably come to the conclusion that the budget has not been drawn up keeping in view the wishes of the people and their legitimate grievances. Though the total receipt amounts to 12 crores 55 lakhs and 3 hundred rupees, only an additional sum of little more than half a crore of rupees has been set apart for the nation-building departments. There is a general cry in the country that the cost of administration is extremely heavy and it should be curtailed and brought to a reasonable limit: but so far as the speech of the Finance Minister is concerned, we find no indication of it and Government appear to be absolutely callous to this universal demand: the budget shows no such sign. Out of the total expenditure of 12 crores 21 lakhs and 500 rupees, Police alone absorb 2 crores 27 lakhs and 69 thousand and Jails and Convict Settlements take 44 lakhs 49 thousand. So practically one-fourth of the total expenditure goes to these departments. Next comes General Administration for which a sum of 1 crore 53 lakhs and 8 thousand has been provided in the budget. So far as the budget for the year 1936-37 is concerned we find that a sum of rupees 1 crore 43 lakhs 87 thousand was provided under this head; so a sum of rupees 10 lakhs more has been provided this year. So far as the Administration of Justice is concerned, a sum of Rs. 1 crore 3 lakhs and 89 thousand has been provided in the new budget as against 99 lakhs 18 thousand provided in the last year's budget. Here also the Finance Minister has exceeded the last year's budget. So far as the nation-building departments are concerned, excepting Education the provision in the budget varies from 54 lakhs to 5 lakhs.

I beg to point out here, Sir, that Government has got the recommendations of two retrenchment committees before it—one of 1922 and the other of 1932. These have been mentioned by the Hon'ble Finance Minister in his speech but no attention appears to have been paid to any of the recommendations of the Committees. What was the necessity of wasting public money in this way? Instead of giving effect to the recommendations we find that in 1922 three taxation measures were introduced, *viz.*, the Bengal Court-fees Act, the Bengal Amusement Tax Act and the Indian Stamp Amendment Act; and in 1933 we find five more taxation measures, *viz.*, the Bengal Electricity Duty Act, the Bengal Tobacco Sales Licensing Act, the Indian Stamp Amendment Act, the Court-fee Amendment Act and the Bengal Amusement Tax Amendment Act. The Government not only increased taxation by legislative enactments but they did so by administrative orders; for instance, they raised the registration fee, fees in schools and colleges and fees for the audit of Co-operative Credit Societies. So it appears that the present Government go counter to the wishes of the people.

The insistent demand of the people is, that the cost of the administration should be reduced and the people relieved of high taxation. So my humble suggestion would be that the cost of administration should be substantially reduced and sufficient fund should be found for the nation-building departments without having any more fresh taxation. The Hon'ble Finance Minister wishes that the taxation measures of 1935 should be given a fresh lease of life when they expire in 1938. Not content with that he wants to explore new sources of income by taxation but never, for a moment raises the question of retrenchment. The Hon'ble Finance Minister admits that the life of agriculturists in India continues to be one of great hardship. How in the face of this admission he wants to impose fresh taxations? The people are already overburdened with taxations—not to speak of fresh taxation: even the continuance of the present taxation is being greatly resented. A taxation measure can be supported only when the Government have effected utmost economy in their expenditure and have reduced those expenditure to an irreducible minimum

There is another item in the budget to which I intend to draw the attention of the Hon'ble Finance Minister. It is this: in almost all the items of expenditure it is found that a portion of it is charged as non-votable. The presence of this in the budget of a popular Government is repugnant to all ideas of democracy. This reflects a sense of distrust in the Legislature and vests an authority in the Executive. Such items should be limited to those items of expenditure specified in the Constitution itself. The Hon'ble Finance Minister has himself admitted that there is an uneconomic pressure on land and there is a large agricultural population but he has made no provision for these unfortunate people. No mention has been made for raising the prices of agricultural products which is one of the burning questions of the day. Even if I concede to the Hon'ble Finance Minister that the powers of the provincial Government in this respect are limited still within this limited powers the Government of Bihar even before the introduction of the provincial autonomy has fixed the minimum price of sugarcane. No attempt appears to have been made by the present Government in this direction. The Government of Bengal receives Rs. 23,00,000 from export duties on jute. This entire sum should have been earmarked for the uplift of the agriculturists, especially the agriculturists of the jute growing districts. Not a single farthing do the Government spend in securing this huge amount. So I press upon the Government to set apart the entire amount for bettering the hard lot of the agriculturists. Neither from the speech of the Finance Minister nor from the budget estimate can we find any indication of the immediate introduction of the primary education which is one of the burning needs of the province. I as an humble representative of the Riyat urge upon the Government to introduce free primary education immediately at any cost. Free and compulsory primary education

is the crying need at the present moment and this and the reduction in the cost of the administration are the two burning questions which are agitating the minds of the people. We find however that no attempt has been made to remedy these two burning problems. With these observations I resume my seat.

Mr. SHAMSUDDIN AHMED KHANDKAR: Sir, I find on perusal that the statement of the Finance Minister of a responsible Government is not the statement of an accountant in this House. He must have found money for expenditure on certain urgent schemes. There has been a persistent demand from all quarters for the introduction of free primary education in this province. During election times the Hon'ble Ministers—the Hon'ble Mr. Fazlul Huq and others—and we ourselves declared to our constituencies that for the uplift of rural Bengal it would be the foremost task of the new Cabinet to educate the masses. As the Finance Minister has observed in his financial statement, illiteracy is a slur on the national life of this province, I submit to this House that illiteracy was a blessing to the hon'ble members and Ministers before this House came into existence, because at that time there was no voter who paid 6 annas as the union rate and there was not such a large number of voters and there was no adult franchise. Now any one who pays 6 annas as union rate—which is the lowest rate—is a voter, and we here are the representatives of these voters. We have come to this debate, and when we return to our homes, the voters will come and flock to our houses and demand to know what we have done for them, and we shall have to answer what we have done regarding free primary education, and we must say something to our constituencies to satisfy the voters. So I submit illiteracy was a blessing to our hon'ble members and Ministers before the advent of autonomy in Bengal, because at that time the number of voters was limited and the number of representatives was also limited. Now everything that is done here, every resolution that is passed here and every detail of this budget discussion would be carried to the farthest corner of the villages. So I say that the responsible Finance Minister of a responsible Government must find out means for the immediate introduction of free primary education in the rural areas. It is a demand which is made from all quarters. Now, Sir, I would suggest to the Hon'ble Minister some of the items from which the money could be procured. Sir, there is a Department of Irrigation. If the hon'ble members of this House will turn to the pages of the budget, they will find that there is a big sum spent and that the expenditure is wholly unproductive. The expenditure shown for the several dredgers, viz., "Ronaldshay," "Cowley," "Burdwan" and others, is wholly unnecessary. These dredgers are now lying in a "laid up" condition in stagnant water in front of Gopalganj. There is no work for them. These dredgers were indented in connection with the great project of

Mr. Addams-Williams, namely, the Grand Trunk Canal, which was under consideration. That project was rejected, and since then there has been no work for these dredgers and they are lying in a "laid up" condition in stagnant water before the Subdivisional Officer's quarters, and some repairs are done to them, and sometimes a dredger looks quite beautiful in red and sometimes in another colour! Although they are all lying in stagnant water, the same sum has been spent every year for these dredges. So the expenditure is wholly unproductive. To that the Hon'ble Minister had added another sum of Rs. 1¼ lakhs for an unproductive item, *i.e.*, for the formation of a Waterways Board—the Finance Minister has mentioned in his speech that the Waterways Board would be formed. I do not know what good this Board will do. I hail from Eastern Bengal and I know that the whole of Eastern Bengal is a low-lying country; it requires very little irrigation, and there are innumerable natural channels. I do not know what is intended to be done in Eastern Bengal. I may let this House know that there are two projects—one in the district of Dacca and another in my own district, viz., the Balugram Khal scheme. These are big schemes, and although there are officers in the Irrigation Department drawing high salaries, they have done nothing for taking up these projects. So I think there is no necessity for the formation of a Waterways Board. In my humble opinion what would they do? They would perhaps think over a project and then they would submit a report on that project and, after all, what will be the reply? The reply will be that there is no money, and so the project cannot be taken up. What is the good of spending Rs. 1¼ lakhs for nothing. If, instead of forming the Waterways Board, we divert the money to primary education—if the Hon'ble Finance Minister thinks it necessary, he may consult his colleague the Irrigation Minister—and set apart for this purpose this sum of Rs. 1¼ lakhs as well as the surplus of Rs. 31 lakhs, we can begin with the starting ground, and then further measures may be taken up by the Education Minister for the introduction of primary education. So my humble submission is that this sum of Rs. 1¼ lakhs should be set apart for free primary education.

Again, Sir, the Finance Minister ought to have thought for a moment that instead of granting expenditure for unproductive purposes, namely, the expenditure on the dredgers, he could have sold them; even if purchasers on higher values be not available, they may be sold at lower prices. This would save us a lot of recurring expenditure which is incurred every year. The Hon'ble Finance Minister of a popular Government should have kept them in some part of the Bay of Bengal instead of allowing them to lie in stagnant water and turned them into a malarious hospital after removing the engine parts therefrom.

RASHIK LAL BISWAS: Sir, I rise on a point of information. I find that most of the Ministers are absent. As suggestions and

criticisms are being made about their departments, it might be helpful to them to listen to these suggestions.

Mr. SPEAKER: The Hon'ble the Finance Minister is present here, and I much prefer if he listens to these speeches. It is very difficult to make all the Ministers come together. I have found that four or five Hon'ble Ministers are constantly attending the debate and unless there is anything special, there is no necessity for asking them all to be present. I hope the Hon'ble Finance Minister is taking notes of all the points, although they may embrace the different parts of the budget.

Mr. SHAMSUDDIN AHMED KHANDKAR: As I was submitting, money should be found for the immediate introduction of primary education, and I have suggested how money can be found from this budget. I found at pages 2 and 3 of the learned speech of the Hon'ble Finance Minister glowing tributes paid to the sons of Bengal and, at the conclusion of that speech, the words "Bande Mataram." At that time I had not a copy of the Budget, and I thought that the Budget would come with some constructive programmes like those suggested by the illustrious sons of Bengal. But I was very much disappointed. I have heard in the speech that constructive schemes must be devised and carried out for ameliorating the condition of the people of this province. I submit that it is a stereotyped Budget, though it is a big Budget. We in the mufassal deal with small Budgets of the local bodies. Budgets dealing with lakhs of rupees and not crores. So my submission to this House is that the responsible Finance Minister of this responsible Government should find out means for the immediate introduction of primary education.

(The House was then adjourned for 15 minutes.)

(After adjournment)

Maulvi AHMED ALI MRIDHA: In connection with the Budget, I would add a few words with those of my predecessors, especially Maulvi Abdul Bari and Maulvi Shamsuddin.

Dr. NALINAKSHA SANYAL: Sir, is it permissible for the Finance Minister to be absent when the Budget speeches are going on?

Mr. SPEAKER: He has taken my special permission, as there is an urgent matter which requires his immediate attention.

Maulvi AHMED ALI MRIDHA: I for myself would just emphasise some of the remarks made by Maulvi Abdul Bari and Maulvi Shamsuddin.

So far as the question of primary education is concerned, my only remark would be that many other things can wait, but primary education cannot; it must be attended to at once. Money must be found out for it, and there cannot be any plea of dearth of funds or no funds. Money is available as has been pointed out by other members. At the time of depression there were cuts, but the time is not propitious now; at present there can be cuts in salaries of employees of Government. There are certain departments in which certain branches are altogether unnecessary, for instance the office of the Divisional Commissioner and the Commissioner himself. It has been declared from the platform and in the press from time to time that the Commissioner's office is the fifth wheel to the coach. He is not needed; he is a superfluity, and his office can be done away with without impairing the efficiency of the administration. His office is only an office of delay—a post office. So there can be a very great saving if these offices are abolished. Next the Deputy Inspector-General's offices in some places also can be done away with. In Police administration there can be great saving as has been already pointed out. It is very well known that savings can be had and economy effected if any real necessity is felt. The Finance Minister can obtain a large sum of money without much exertion on his part if he wants it. So far the Budget provision for primary education is concerned, it is hopelessly inadequate from the point of view of the public. I am of opinion that primary education must not be allowed to be delayed, and it must be given effect to at once. Primary education must be free and compulsory. There should also be Pathsalas throughout the length and breadth of Bengal.

So far as the question of funds are concerned I think a large sum can be obtained by disposing off some of the dredgers, if not all. Some of them may be maintained for future projects, and dredging projects to facilitate the dying rivers of Bengal must be taken in hand without any delay. The money that will be got from the sale of dredgers can be utilised for the nation-building departments.

Maulvi Abdul Bari has said that Agriculture has also been neglected. I would say not only that, I would say that the employees of that department, although some of them may be experts, are of no use to the cultivators. They may be scientists, but they are worthless so far as the cultivators are concerned. They cannot utilise their knowledge and advice for the benefit of the cultivators. There is an addition to the staff; there has been some improvement. I for one say that better working of the department is necessary, and willing workers are a desideratum. Members of this House will not be astonished to hear that the Agricultural officers do not go to the mufassal villages for cultivation. They are afraid of the mud; they are unable to advise the cultivators on the field as to how the caterpillars can be removed when the jute plants and cowdung can be converted into manure.

No attempt is made to teach the cultivators the improved method of agriculture. In this direction there must be some improvement. Funds must be found for this purpose.

Members may remember that cultivators at the time of heavy fall in price of jute were asked to produce only as much jute as would cover the cost of cultivation expenses, and were advised by Government to substitute the cultivation of jute by that of sugarcane. In doing that the poor cultivators fell out of the frying pan into the fire; neither sugarcane nor *gur* could be sold. The cultivation of sugarcane brought them no profit; then what was the necessity for this useless propaganda and so much labour?

As regards sugar industry, it is the clear duty of Government to procure certain machinery for production of sugar from sugarcane and not to compel the agriculturists to finish their labour by producing *gur* from sugarcane. We find that this Budget is deficient in this respect, and I say some energy must be applied to see that the nation-building departments receive full consideration and support. If that is not done, then most of the people who depend on agriculture, 85 per cent. of the whole population, would remain helpless. They remained helpless in the past, and they will remain so in the future as well. The promises made in the Budget speech itself and by members of the Cabinet at the time of election are of no good if no attempt is made to improve the lot of the cultivators. Actual work is necessary and not mere promises, and money must be found.

These are the remarks that I wished to make. The Hon'ble Finance Minister seemed to be very solicitous about giving a larger grant to the Calcutta University. In this case, I do not see eye to eye with the members of the Opposition, as it is said there is something rotten in the State of Denmark.

Then, Sir, they are going to get a reward in the shape of an additional grant this year. I think it is nothing but a prize awarded to a student who has got plucked in an examination. In the University such a system does not prevail, but the members on the Treasury Benches are awarding this prize to the Calcutta University. That is the state of affairs, Sir, with regard to the Calcutta University.

Then, Sir, as we all know, the Calcutta University has of late taken to the monopoly of printing the text-books and by that means they have wiped off their deficit; on the contrary, a surplus has accrued to them. There is a balanced Budget now and, in spite of this, this attempt is being made to provide them with funds, just like rewarding the plucked students! The University has already been found wanting in the discharge of its more urgent responsibilities, at least in the matter of doing justice to the demands of the Moslems, a bare justice to them, justice which must be done to a section of the people who

comprise 55 per cent. of the total population of this province; these people, therefore, should not be neglected in respect of their demands. The University boast of giving higher education to the people of Bengal but, Sir, what is their record? In my opinion, they have failed and do not deserve this additional grant.

By refusing them this grant, there may be a saving, and savings may also be effected in various other ways. Suggestions have come from many quarters. My friends, Messrs. Bari and Shamsuddin Ahmed have made suggestions nice enough, and I too join my voice with theirs. But I would venture to suggest to the Minister in charge of Finance that the Budget must be improved; improvements must be notified to the members of this Assembly during the speech that he will deliver in reply to what has been said here on the floor of the House, improvements in conditions must be coming to exist very soon; otherwise, as we have been undone, I am not sure whether the Treasury Benches, too, will not be similarly undone!

Mr. C. GRIFFITHS: Mr. Speaker, Sir, we were practically assured last year, during the Budget discussion, by Sir John Woodhead that there were better times ahead for Bengal, and we are glad to find that our hopes have been more than realised, thanks to the good work of Sir John, which is beginning to bear fruit, and to the Niemeyer Report, which gave us back one-half of our jute export tax and now grants us [illegible]ber 12½ per cent. and cancels our debt to the Government of [illegible]f 8 crores 41 lakhs, the interest of which stood at 23 lakhs.

[illegible] must, however, congratulate the Hon'ble Mr. Nalini Ranjan [illegible] our first Indian Finance Minister, for the very able way he [illegible] so short a period, arranged for the vast requirements of our [illegible] and is also able to present a Budget with a surplus of over 34 [illegible] revenue being 12 crores 55 lakhs and expenditure 12 crores 21 [illegible] at the very first session of the Assembly, thus giving the new [illegible] as a splendid start to do some good for their respective depart- [illegible] It is satisfactory to find that increased provision has been [illegible] for Agriculture, Public Health, Medical Services, and Education.

[illegible] in view of the fact that the five Taxation Bills introduced in [illegible] Electricity, Tobacco, Stamps, Court-fee, and Amusements [illegible] in 1938, should we not claim to get the balance of our jute [illegible] tax under section 140 of the Act and see that we get better [illegible] with regard to our income-tax? (Cheers.)

[illegible] have big responsibilties in Bengal, and need all available funds [illegible] welfare and advancement of our people.

[illegible] great mass of Bengalees in the villages are illiterate and live in [illegible] fear of the two time immemorial scourges of the country— [illegible] and cholera. Thousands are starving for want of work and live

in miserable hovels of mud and bamboo. It is these villagers who cultivate our land and grow our jute, the golden fibre of Bengal, and give us our rice and other crops, but at what a price? The Director of Public Health, Bengal, Lieutenant-Colonel A. C. Chatterjee, says that nearly 400,000 people die of malaria in Bengal and that probably there were about 30 to 40 million cases a year. These agricultural labourers are the real producers of our wealth; they practically maintain our province; and on their success the prosperity of Bengal's 50 million people depends. Therefore, we should have every sympathy and consideration for these men. We should do all we can to combat disease for them by giving them good drinking water, prevent failure of the crops and famine by providing them with irrigation works, help them to take their produce to the best markets by constructing roads and canals for them. It is gratifying to find that the Government of India has just sanctioned 18 lakhs as the second grant (the first being 16 lakhs) for Bengal's rural uplift and that various schemes are in progress in the different districts.

Bengal should not neglect to develop her own resources and carry on a hand-to-mouth policy, nor should we reduce our programme of nation-building activities merely to contribute more than any other province to the Central Administration. The Meston Settlement retarded our progress in Bengal, while it was a source of advancement to others. We should not subscribe to a policy that takes from each according to its ability to earn and that gives to each according to its requirements, in this case to maintain a highly efficient but expensive administration throughout India—a Rolls-Royce administration in a land of bullock-carts as it was cynically said by someone (Cheers from Congress). At the same time, we do not suggest to sacrifice efficiency for economy.

With provincial autonomy we cannot have all things in common. It is, however, necessary to have some things in common; for instance, our defence forces, or military matters; but as we do not eat and drink in common, neither do we dress and reside in common; therefore, why should there be equality of award, irrespective of service rendered?

Mr. SYED JALALUDDIN HASHEMY: On a point of order, Sir. In view of the ruling given by the Chair, is the honourable member entitled to read a set speech as he is doing now?

Mr. SPEAKER: My ruling leaves enough scope. I said, while giving my ruling, that written speeches were to be deprecated. I noticed that the honourable member began to "speak" at first. Later on, of course, he began to read from it. I would, however, leave it for the time being to the option of the member concerned, but, as I said,

my ruling stands—that the habit of reading manuscript speeches is to be deprecated. But I do not think it will be fair on my part to absolutely ban all reading from manuscripts.

Mr. C. GRIFFITHS: Bengal should be permitted to first develop her own resources, and then should we have a surplus we could contribute more to the Government of India to help others. We should always remember that "charity begins at home," therefore, our first duty is to have a prosperous Bengal, for a prosperous Bengal will mean prosperity for all its people.

Sir, next dealing with urban conditions, in Calcutta and in the larger towns, let me appeal to you to help the Anglo-Indian and Domiciled European cause and to alleviate their sufferings. That my community has borne the brunt of Indianisation no one will deny. We understand that one man's loss is another man's gain, but why should a policy of "robbing Peter to pay Paul" be adopted when we are concerned with the other communities? However, the fact is that our condition to-day is deplorable. Our men want work and our schools need funds.

Referring to the Budget speech on page 26, we find that the Hon'ble Mr. Nalini Ranjan Sarker states that the Government of Bengal are also considering whether the Army can afford a profitable avenue of ... ment for the young men of Bengal and how to persuade the ... ment of India to give them such opportunities. It is sincerely ... that the claims of my community will be considered, since our ... is serving in the Auxiliary Force from the second line of defence; ... view of our splendid record during the Great War, in support of ... the Archbishop of Canterbury said in June 1937: "Their loyalty ... ponse also during the recent Great War had been conspicuous. ... portion to numbers, they had been the most ready and most ... us community in the Empire to come to Britain's help." ... from Europeans.)

... 1934, to solve the problem of unemployment, the late ... Cluskie, a member of the then Bengal Legislative Council ... ted that we should take to the land, so that a wider range of work ... offer, as was pointed out by the Statutory Commission. Accord... a small band of pioneers from Calcutta with a few others from ... provinces formed a settlement near Ranchi. To-day they ... about 1,000 with 200 homesteads. His Excellency the ... or of Bihar on visiting the colony on the 12th June, 1937, to ... to the needs of the settlers, which are proper roads, adequate ... s for education, medical health, and proper water-supply said:—

"The Anglo-Indian problem is an All-India problem, and it is not ... nable for me to hold that the burden of helping the settlement

should fall solely on my Government, but should be shared by the provinces from which the settlers have come, also by the Government of India."

Sir, will Bengal fail to contribute her share for those who have settled at McCluskiegunge from Bengal?

The pawnbrokers in Calcutta, and there are a multitude of them in this city, could with telling effect reveal to what straits many respectable Anglo-Indian families have been brought through want of employment. "Their stocks from a grand piano to a woman's wedding ring represents many a tale of domestic hardship and even tragedy," as was graphically expressed by our leading daily.

The extra work imposed on the District Charitable Society to remove the children of respectable Anglo-Indian parents, who have fallen on evil days, from undesirable surroundings and place them in schools, disclose to what an extent the community has suffered.

The Anglo-Indian Soup Kitchen with funds from the Calcutta Ranger's Club, the Bengal Chamber of Commerce and the Telephone girls, supply about 150 men and women with one meal a day and some of these folks have no homes.

The unpaid school fees to our poorer institutions also strongly point to our distress, and the recent appeals made at the Caxton Hall, London, by the Archbishop of Canterbury and the Bishop of Calcutta for funds for our schools, all go to point out that ours is a very deserving case.

In this connection, I might mention what our Premier, the Hon'ble Mr. A. K. Fazlul Huq, had to say, viz., that the New Constitution is "for all of us a message of hope," and in referring to my community, as reported in the *Statesman*, he said that speaking from personal experience of nearly a quarter of a century, he could bear ungrudging testimony to the manner in which the representatives of this great community had always come forward to help the administration without in the least pushing forward their claim for recognition in the public services of the country. And without committing the Government to anything definite, he assured the community that they would do their little bit to recognise the claims of the Anglo-Indian community to the distribution of State patronage. The time had come for their selfless devotion to duty meeting with its own reward by a public recognition of the claim of the community to a legitimate and proper share of representation in the public services.

Sir, in view of the acute distress now prevailing among us, will the Government and the Hon'ble the Finance Minister see that we get our full share of appointments in the Provincial Services of Bengal? We

understand that there are about 70 vacancies under the Co-operative Credit Department to be filled shortly, and we trust that the claims of the Anglo-Indian community will not be overlooked.

Mr. NARENDRA NATH DAS GUPTA: Spoke in Bengali on the general subject of the Budget.

In course of his speech he referred to certain alleged illegal exactions of the police constables and was explaining what *dosturi* was, when the following point of order was raised:—

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I rise to a point of order, Sir. Is the hon'ble member entitled to make such general accusations against the members of a Public Service?

Dr. NALINAKSHA SANYAL: May I draw your attention, Mr Speaker, to certain observations made in the Central Legislature that members while in the House were entirely free to make any observations they liked, but that if they made any observations of a personal nature, they were to do so on their personal responsibility?

Mr. SPEAKER: It is a very delicate question that has been raised. I was really watching as to what the speech of the hon'ble member was coming to. The hon'ble member, however, had not specifically referred to the entire police, but he was referring only to particular members of the police force. He is making only general accusations, and if the general accusations are of a nature which is defamatory, I have to consider the matter. For the time being I think he is making a remark on the general character of the police force from his own experience, and I do not know of anything—of any rule or standing order—under which I can rule him out unless, Sir Bijoy, you can cite or refer to any rules on the subject. If you can kindly do that, I would certainly rule him out. For the time being, however, I think he has not overstepped the limits, although he is very near doing so.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Very well, Sir, I bow to your ruling.

Mr. SPEAKER: If the House can refer me to any rule or standing order or convention, by which I can rule out the hon'ble member, I am quite prepared to do so.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: What I beg to submit is that it is against the general rule of debate to make accusations or allegations against members of the Public Service or against any body in particular without specifying the charges.

Mr. SPEAKER: I think the best solution for the time being is afforded by the fact that our time has already run out and I shall be obliged if you will kindly bring up this question before me in my chamber to-morrow before the House meets. The hon'ble member will please continue his speech to-morrow as I shall have to adjourn the House now.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Thank you, Sir.

Mr. SPEAKER: The House now stands adjourned till 3 p.m. to-morrow, the 4th August, 1937.

Adjournment.

The Assembly was then adjourned till 3 p.m., on Wednesday, the 4th August, 1937, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Wednesday, the 4th August, 1937, at 3 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.) in the Chair, the eleven Hon'ble Ministers and 221 members.

Obituary Reference.

Mr. SPEAKER: Ladies and gentlemen, it is with profound regret I have to announce to the House the death of Sir Lancelot Travers who was a member of the Bengal Legislature under the Morley-Minto and Montagu-Chelmsford Reforms.

He was the Leader of the European Group of the Bengal Legislative Council and served on the Bengal Committee of the Simon Commission. Many of us who are here now remember how amiable and courteous was Sir Lancelot in his dealings in and outside the Council. He was a charming personality and his sobriety of temper was well known.

I propose, with your leave, ladies and gentlemen, to convey to the [illegible] of Sir Lancelot our deep sympathy in their bereavement. I now ask you, ladies and gentlemen, to signify your approval by rising in your places.

(Pause.)

Mr. SPEAKER: Thank you, ladies and gentlemen. The Secretary will take the usual steps.

Rule regarding answering questions within a prescribed time.

Mr. NALINAKSHA SANYAL: Mr. Speaker, you were pleased to say that you would give your ruling about the interpretation of the rule of 15 days' notice to-day.

Mr. SPEAKER: Dr. Sanyal, I have looked into the rule carefully, and find that that rule governs the relationship between the members of the House and the Speaker. There is no rule as to the period which Ministers will take to answer questions. For the time being, however, I am absolutely helpless, as there is no rule by which I can compel a Minister to give his answer to a question within a prescribed time; but I would appeal to the Treasury Benches to see that questions are answered as quickly as possible.

STARRED QUESTIONS

(to which oral answers were given)

Appointment of persons of scheduled castes in the different collectorates of the Burdwan Division.

*16. **Babu ADWAITA KUMAR MAJI:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing since 1st January, 1932,—

(i) the number of persons appointed in the different collectorates of the Burdwan Division, district by district; and

(ii) the number of them that belong to the scheduled castes?

MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): A statement is laid on the table.

Statement referred to in the answer to clauses (i) and (ii) of starred question No. 16 showing the appointment of members of scheduled castes in the Burdwan Division since the 1st January, 1932.

	Total number of persons appointed since 1st January, 1932.	Number belonging to the scheduled castes.
Bankura ...	20	3
Hooghly ...	31	3
Burdwan ...	63	4
Midnapore ...	52	3
Birbhum ...	13	3
Howrah ...	26	2

Proceedings of the 17th Annual Session of the Process-servers' Association, Jalpaiguri.

Mr. TARIK LAL BISWAS: Is there no proportion fixed for the scheduled caste?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: No proportion has been fixed, Sir.

Mr. RASIK LAL BISWAS: Does the Government propose to fix the proportion in the near future?

Mr. SPEAKER: I am afraid that is not a question, but a request for action.

17. Maulvi ABDUL WAHED: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to state whether the Government has received a copy of the Proceedings of the 17th Annual Session of the Process-servers' Association held at Jalpaiguri during December, 1936?

(*b*) If so, will the Hon'ble Minister be pleased to state what actions, if any, have been taken on those resolutions up till now?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) Yes, a copy of the proceedings was received duly in the Revenue Department.

(*b*) Of the resolutions, Revenue Department are concerned only with the request for grant of advance conveyance fares to process-servers. This request was considered, but could not be conceded in view of Article 159, Civil Account Code, Volume I.

Babu KSHETRA NATH SINGHA: May I know how many questions of this type have been received?

Mr. SPEAKER: That question hardly arises, but I should impress on the House that if this type of question comes pouring in, it will be necessary to ask for additional staff to deal with this problem alone.

Admission of an Adjournment Motion.

Mr. TULSI CHANDRA GOSWAMI: I desire to ask for leave of the House to move an adjournment of the House to discuss a definite matter of urgent public importance, namely, the hunger strike by a large number of political prisoners from Bengal who have been lodged in jail in the Andaman Islands

I have just received your consent, and I hope you will fix a time for discussion.

Mr. SPEAKER: Mr. Goswami has asked for leave of the House for moving an adjournment motion for the purpose of discussing a definite matter of urgent public importance, namely, the hunger strike by a large number of political prisoners from Bengal who have been lodged in jail in the Andaman Islands. I ask whether it is the pleasure of the House to allow a discussion on the motion.

Mr. ABDULLA-AL MAHMOOD: On a point of information, Sir——

Mr. SPEAKER: No information can be asked for at this stage. Is there any objection to the motion being put?

Mr. ABDULLA-AL MAHMOOD: No, Sir.

A count being made, it was found that more than fifty persons had risen in their seats.

Mr. SPEAKER: Leave has been asked for and the House has granted the leave. I fix 3-15 p.m. to-day for the discussion of the Adjournment Motion.

GENERAL DISCUSSION OF THE BUDGET.

Babu NARENDRA NATH DAS GUPTA resumed his speech in Bengali. He was referring to certain alleged illegal exactions of the police constables.

Mr. A. M. ABDUL HAMID: Can the honourable member be allowed to refer to what are not actual facts in this House?

Mr. SPEAKER: It is very difficult for me to say whether he is making a correct representation of facts or not. When a member takes the responsibility of making a statement of facts, I have nothing to say as to whether it is a misrepresentation or not; but at the same time I must request the member to see whatever statement he makes, he makes it with a full sense of responsibility; also bearing in mind that he is in a privileged position in this House in regard to what he says.

Mr. ABDULLA-AL MAHMOOD: But the member is citing instances about which we have definite information as well, and it is our considered opinion that he is making a misrepresentation of facts.

Mr. SPEAKER: If it is a misrepresentation of facts, you are perfectly entitled to contradict him when your turn comes but certainly you cannot interrupt him in this way when he is in possession of the House.

Babu NARENDRA NATH DAS GUPTA continued with his speech.

(The member resumed his seat before he could conclude his speech, as it was time for the discussion of the Adjournment Motion.)

Adjournment Motion.

Mr. TULSI CHANDRA GOSWAMI: Mr. Speaker, it is not my desire nor is it the desire of my friends on this side of the House to initiate a merely acrimonious discussion. We feel that this House has a tremendous responsibility in view of the urgency of the matter which I propose to discuss, and which I hope the House will discuss, in a spirit of fair-mindedness and in a spirit of humanity. I would appeal, and I make this appeal at the outset of my speech, to the Treasury Benches, to the Hon'ble Mr. Fazlul Huq, and to the Hon'ble Khwaja Sir Nazimuddin, to take a serious view of the situation which has arisen in the Andaman Islands, in view of the fact that nearly 200 human beings are in danger of losing their lives. I am glad that derisive laughter has not come from the other side of the House, but I am afraid the answers to the short-notice question of Mr. Roy, which we received the other day from the Home Minister made me feel that perhaps human life along with human liberty was not a matter of much importance even to the present Government of Bengal. The other day we were told that these prisoners are convicted prisoners; that they had been sentenced by courts of law. Well, it is not my desire nor is it the desire of my friends to question any decision of any court of law, although perhaps it would be permissible to question decisions and sentences of tribunals which were known as Special Tribunals. But the moment I accept the decisions of courts of law—decisions which sent these prisoners to the Andaman Islands. But there was a suggestion, and more than a suggestion, that because they were convicted criminals, they deserved no sympathy from other people who have not had the benefit of going to the Andaman Islands. That reminds me of a very famous saying. When someone saw a group of prisoners being led to their doom, he said: "There, but for the Grace of God, I too." Because a prisoner has been convicted and is undergoing imprisonment, there is absolutely no reason why the executive Government should enhance the judicial sentence by inflicting additional sufferings or should increase the sufferings beyond what the courts of law have ordained. It is not true that the Andaman prisoners are outlaws. Outlawry is a thing which is unknown in any civilized Government, and when they are convicted and lodged in jails, it is expected of every civilized Government that their conditions of life should not be made more miserable than is necessary.

What is the genesis of this hunger strike? I find on enquiry, and have taken some trouble to enquire into the facts, that the first hunger strike took place in 1932 after three months had elapsed since a petition for the redress of purely local grievances had been submitted to the proper authorities. After that, when no redress came, there was a second hunger strike in the year 1933, and in the course of that

hunger strike, three people lost their lives—I would say, three valuable lives, because every life is to be considered valuable under any system of government, unless that life is forfeited as a penalty under capital punishment. Now what were the grievances in 1933? The prisoners complained against food arrangements which must have been terribly bad; they complained against bad rice; they complained against monotonous diet; they complained against absence of lights; they complained against absence of newspapers; they also complained, I am told, that when it was impossible for them to avail themselves of an interview because of the great expense entailed on the part of the relatives to visit the Andamans, they were not given in lieu of that privilege the right to write letters. These are all local grievances; these are not political grievances; these are not general grievances of a national character; and it was up to the authorities to redress those grievances. In 1934, there was an enquiry by one Colonel Barker, who was on a sort of an annual visit to the Andamans. Nothing came of his enquiry in the way of redress. In 1936, Sir Henry Craik visited the Andamans and found them a paradise for every one but himself. That statement of Sir Henry Craik was very rightly criticized by the press as a most callous statement. It is not true. I have enquired from prisoners who have come back from the Andamans—it was a personal enquiry—that the climate of those islands is by no means as salubrious as Sir Henry Craik found it to be, or pretended to have found it to be. After that, in 1936, again a petition was submitted to the Chief Commissioner of the islands. Now here I come to a point where there was a breach of faith. The Chief Commissioner assured the prisoners that the petition would be favourably considered, and that adequate redress would be given to the prisoners, and that the lives of the prisoners would be made a little more tolerable than they were before. That promise was broken. In 1937, that is the current year, there was another demand sent by the prisoners. In that demand, of course, there were many political items such as the repeal of repressive laws and things of that kind. I do not expect the Government to accede to such portions of the demand because it is not within the province of the prisoners, to make such demands and to expect that demand to be accepted. But at the same time there were in detail all their local grievances, not one of which had been redressed, and they have now resorted to hunger strike—a serious step. People do not wish to commit suicide for nothing. They must have seriously considered the implications and consequences of their action, and if they are ready to lay down their lives in order that the lives of others who may follow them to the cells in the Andaman Islands might be a little better, they are doing an act of patriotism for which I congratulate them. At the same time, I do not think we should be parties to this enormous loss of life which is more than probable now, unless the Government of Bengal take immediate steps to redress their grievances and induce

them thereby to call off the hunger strike. It is not true that the Government of Bengal have no jurisdiction over those prisoners. Deliberately—quite deliberately I say—a conflict of jurisdictions has been created in order that when there is a public demand for better treatment to the prisoners, the Government of Bengal may be able to say that the Government of India is responsible, and the Government of India may be able to say that the Government of Bengal is responsible. The fact is that the Government of Bengal have seisin of all the prisoners who have gone from Bengal. They issue periodical instructions in regard to Bengal prisoners in the Andamans. That, I hope, will not be denied because that would be denial of fact. I would ask the Government to tell this House whether they are prepared immediately to take steps either to improve the conditions of life of the prisoners in the Andamans to such an extent that hunger strike would be impossible, or that they should repatriate them to our country. It is a scandalous thing that Bengal prisoners are sent out from the province and left to the tender mercies of authorities over whom the Bengal Government have not the power to exercise adequate control. This is a very serious matter, and if the Hon'ble the Home Minister can satisfy us—and I do not see any reason why he should not be able to satisfy us—I am quite prepared to withdraw my motion. At the same time, he will earn the gratitude of the province, and incidentally earn the gratitude of those who have staked their lives for a cause which, I think, is commendable.

Mr. SANTOSH KUMAR BASU: I desire to accord my support to the motion which has just been placed before this House so ably by Mr. T. C. Goswami. It is not a question as has been pointed out by Mr. Goswami of showing your sympathy with assassins or convicts who have been sent to the Andaman jails to serve the sentences passed upon them by respective courts by which they were convicted. It is a question of saving human life if it can be saved, even at this stage, when after days of hunger-strike they are still holding out and are not in a mood to yield until their demands are satisfied. The Hon'ble the Home Minister the other day in answer to supplementary questions in this House to the main question put by my friend, Mr. K. S. Roy, took up the attitude that it would not be to the interests of efficiency in administration to yield to the demands, reasonable or unreasonable, for if Government once surrender themselves, there will be no end of such demands coming up, making it impossible to carry on the work of Government. That is a principle well-known and understandable under ordinary circumstances. I agree that it would be impossible to carry on Government if frivolous demands were sent up to Government at the point of the bayonet, as it is said, and if these grievances Government are asked to redress. But there must be exceptions to every rule. The Hon'ble Home Minister has taken up the attitude that it is

one of those cases in which he should hold fast to that theory of Government that Government must not bend its knees and yield to unreasonable demands and that if once Government gives way there will be no end of such demands. I do say, Sir, that if we look up old history on these matters it will be absolutely clear to every member of this House that it is not the first time that Government had to come down from the high horse they were riding before the prisoners succumbed to the strike and expired. I recall the occasion when Jatin Das, an under-trial prisoner in the Lahore Conspiracy Case, resorted to hunger strike for the purpose of effecting redress of the grievances of those under-trial prisoners. His intention was to bring about such a situation as the attention of Government might be drawn to the enormities which were perpetrated in the Lahore Central Jail. So far as those political prisoners were concerned Government would not budge an inch; Government stuck to their guns; the same principles which the Hon'ble Home Minister enunciated on the floor of this House were trotted out on that occasion also. And what was the result? Jatin Das held fast to his resolve and ultimately he made himself a martyr to the cause of those political prisoners who were subjected to all kinds of treatment and whose grievances were enormous. Under those circumstances after the death of Jatin Das had taken place Government had to come down from its high horse, and the Government of India initiated an enquiry into the conditions of prisoners all over India, and an elaborate enquiry was held. Non-official visitors of the different Central Jails were asked to formulate their proposals for the purpose of evolving a scheme of prison reform in the different jails in this country. As the Chairman of the Non-official Visitors' Committee of the Alipore Central Jail on that occasion I came into direct contact with the grievances of the political prisoners, and after the Committee had formulated its proposals the Government of India tried to give effect to many of the suggestions which were sent up by the different committees in the different jails of India. Why? Because after the prisoner had actually succumbed to the hunger-strike an enquiry had actually to be initiated. So also in the case of Andaman prisoners who had to undertake hunger-strikes on two or three earlier occasions the Government of India had to send down its own Home Member for the purpose of finding out what the real state of affairs was. I warn the members of the Government of Bengal to-day that if they persist in their attitude, a situation might be brought about which cannot be contemplated by them even at this stage with equanimity. They will have to yield to the pressure of public opinion at that stage even if they think that at the present moment no occasion has arisen for taking any action in this matter. The replies of the Home Minister were curt and callous were absolutely unyielding in their nature. The Home Minister thought that by adhering to his favourite principles of Government his duty had completely ended. I should think, Sir, that it is not the number of votes which he commands in this House that should be the

determining factor in this matter. The great public opinion whose verdict we must await in a matter of this kind has got to be taken note of in deciding a course of action. You may consider yourself secure in the votes that you can command and the votes that you can secure in the support of your policy, but you must remember that the people of Bengal will try you in the scales of public opinion, and if you are found wanting the number of votes which you command in this House will not be able to save you from a just decision and a just judgment.

I do say, Sir, that these hunger striking prisoners in the Andaman Jails, some of whom I had defended in their trials, are persons who ought to be brought back to their own country; and the classification to which they have been subjected, namely, "C" class classification, ought to give place to a higher division classification, for which they are asking at the present moment.

The Hon'ble Mr. H. S. SUHRAWARDY: Why?

Mr. SANTOSH KUMAR BASU: The Hon'ble Labour Minister ask "why." The reason is this: that the class from which most of them are drawn will not justify a classification of that character. Your Jail Code provides that Bhadralok young men should be given a class.

Mr. SPEAKER: Order, order. I request my friend to remember the reason why it is not permitted to make a direct reference to the Treasury Bench or to any member of the House is to avoid face to face language and I think it would be best if he will address to the Speaker.

Mr. SANTOSH KUMAR BASU: I am referring to the Jail Code and am only reminding the Hon'ble Minister who questioned me and challenged me that if they adhere to the provision in the Jail Code they will find that these Bhadralok young men are entitled by reason of their status in life and their education and standing to classification at least in the "B" class. That is one of their grievances which are pressing them at the present moment. It will not be possible for the Government of Bengal to put them in the "B" class so long as they remain within the jurisdiction of the Government of India but as soon as they are repatriated to this country and lodged in jails in Bengal it will be possible for the Government of Bengal to intervene and put them in the appropriate class. I think, Sir, that this is not a matter which is to be lightly brushed aside in the manner in which the Hon'ble Home Minister tried to do on the last occasion. It is a matter which deserves the most serious consideration of this House. Lives of so many

young men are imperilled. They might have been convicted of very serious offences but that is no reason why they should be penalised in the manner which has been adopted by the Government of India. They were sent away to the Andamans not in the interests of any administrative necessity but they were sent away as a penal measure. I would ask the Treasury Bench to consider whether the necessity for such penal measure is over and whether time has come when they should be brought back to their own country and lodged in jails in Bengal. They are young men who have been convicted of very serious crimes: the retribution has followed after the trials in the courts of law but that is no reason why they should be condemned to death in this manner by the calousness of the Government of India to which the Government of Bengal are a willing and a silent party. I do say, Sir, that if they are brought back and if they are repatriated to their own country and if they are ultimately released then you will find in them fine material which can be harnessed to the cause of this country under the aegies of a popular Government. If a Mussolini or a Hitler had been at the helm of affairs they would not have shut their eyes to the excellent material which could had been supplied by these young men. They have been misguided, their methods have not been clean, they have adopted methods of violence if verdicts of court of law are to be accepted, but that is no reason why their services should not be harnessed to action by a popular Government bent upon serving the country and serving the people. If you can do that, as the Congress Ministers in other provinces are doing, you can create such a feeling in their minds and in their hearts that you can harness them to channels of peaceful and constructive activity.

I would request you, Sir, to allow me to make a final appeal to the Government of Bengal, to the Home Minister and the Prime Minister that it is time that the Government of Bengal should intervene and persuade the Government of India—it does not require any persuasion on their part—to bring these convicts to the Bengal jails. That is the first step they ought to take and which is easy for them to take. I do expect that the Prime Minister and the Home Minister will make statements which will go to show that they were quite alive to the necessities and requirements of the situation and that they will lose no time in announcing their decision that these prisoners will be repatriated without any further delay, and without the necessity of any sanction from the Government of India. I do say, Sir, with the greatest confidence that I shall get a frank statement from the Treasury Bench on this occasion that this act of barest justice could not be delayed any further.

Maulvi ABUL HASHIM: Sir, I have listened with delight to the learned speech delivered by Mr. Goswami and if his speech was not followed by another I would not have stood up and made a speech

myself. Sir, with due respect to Mr. Santosh Kumar Basu I take serious exception to certain statements which he made in connection with the attitude of this side of the House. Mr. Basu made a remark referring to the Treasury Bench that although they depend on the votes of a larger number of members of this House they would not escape judgment outside this House. In this connection I would like to remind the honourable member that this House is supposed to represent the people of Bengal and if the Treasury Bench get majority support here they are perfectly entitled to say that they have absolute majority of the people of Bengal behind them. I do not know what sort of Government there would have been if the Congress Party in Bengal were in power. Assuming that things would have been better I really regret that the people of Bengal were such fools as not to put their votes in their favour enabling them to come here in an absolute majority. Sir, I quite appreciate the feelings behind this adjournment motion; and I think that all of us do appreciate the difficulties which under-trial prisoners as well as convicted prisoners suffer outside Bengal and that it is really desirable that they should be brought back to Bengal. In this connection, Sir, I entirely agree with my Congress friends but would like to add a little more. There is a countrywide demand for removing the sufferings of prisoners outside Bengal including those numerous persons detained without trial who are known as detenus and are staying in the distant deserts of Rajputana and other parts of India. I think that no one here has any doubt that the principle underlying this demand is that we do not think it just and proper to pass any sentence on anybody without trial. If this be true on behalf of all of them, irrespective of the motives behind the crimes they are supposed to have committed or supposed to commit when they are released, I would demand release of all sentenced without trial. I would remind you not only of those Bhadralogs alone who really feel for all those suffering from being away from Bengal. At the same time I do not exclude those who are not, unfortunately; cannot class themselves as such. I mean the large number of people who have been driven out of Calcutta to stay away perhaps not known where to roam about the country under the Goonda Act. I do not say that they were saints and angels. There is no denying the fact that in the city of Calcutta there still prevails goondaism as well as highway robbery——.

SPEAKER: I am afraid that Mr. Hashim is going a little beyond the limits of reasonable debate. On this motion he is perfectly entitled to say that if an adjournment motion like this is accepted, the effect would be that the Goonda Act might as well be withdrawn. But he cannot possibly discuss the effect of the Goonda Act. He can incidentally refer to it and its possible repercussion, as a consequence of this motion.

Maulvi ABUL HASHIM: Sir, I did not intend to enter into a long discussion on the effect of the Goonda Act, but my idea was to request the Treasury Bench to take into consideration the condition of these so-called goondas——.

Mr. SPEAKER: That question again does not arise. Mr. Hashim is entitled to bring out that the question has some effect on the adjournment motion, but he cannot request the Treasury Bench to take action regarding the Goonda Act. I have made it perfectly clear that Mr. Hashim cannot say that the Goonda Act should be withdrawn. He can only discuss the adjournment motion.

Maulvi ABUL HASHIM: Sir, I do not really propose to request the Treasury Bench to withdraw the Goonda Act, but I want just to draw their attention while discussing this adjournment motion to the effect of the Goonda Act and I expect a reply from the Treasury Bench as regards their attitude towards those persons who are suffering without trial.

Mr. SASANKA SEKHAR SANYAL: Sir, one of the greatest misfortunes of Bengal is that none of the members of the Cabinet has ever been in his life a prisoner and that is the difference which exists between this and the other provinces where miracles are happening. In other provinces Ministers are quite alive to their sense of responsibility, to the seriousness of the situation and the risks involved in the steps they are taking; but they have got this advantage that they have been inside the jails, they have mixed with ordinary and dangerous criminals and they know what stuff these criminals are made of and they know to what risks the prisoners are exposed while in jail as Mr. Basu has put it. Sir, I am somewhat tempted to congratulate the prisoners who have gone on hunger strike, because despite the fact ——.

Mr. SPEAKER: I am sorry that this is absolutely irrelevant. The motion before the House is an adjournment motion to discuss the question of the hunger strike and to fix the responsibility of Government. I think the question whether the prisoners should be congratulated on their hunger strike is altogether outside the scope of discussion. We are purely discussing its relationship with Government. I do not think your congratulation has any connection with the executive administration of this province.

Mr. SASANKA SEKHAR SANYAL: Sir, what I was saying is that when we are trying to make party affiliations we are not looking straight at the merits of the case. These prisoners, sinking their personal differences, sinking the difference between a prisoner and another, sinking the difference between a community and another, are raising issues which concern the province as a whole. Sir, I do not like to be misunderstood but I want the members of the House to understand that with a slight variation of circumstances and opportunities these unfortunate prisoners would have been good citizens as many of us here are. Many of them were high class citizens and owing to a sudden act of impulse or momentary mistake there is this difference between the Andamans and this House. It is well-known to us here that some of them were brilliant young men with high idealism and, as Mr. Basu has said their only fault was that they were impatient and did not allow themselves to be more disciplined than they were. It is not merely a concern for the prisoners that raises this question but it is a question also of public importance. The people who are in Andamans were not prisoners by themselves and whatever the Home Member may think of them they were not captured from the Sunderbans. They were arrested from the very same society which has produced ourselves and which has produced members of the Cabinet and these people were put on their trial for the mistakes they committed and w... sentenced and then wrested from this province and sent to the A...mans. This raises an issue which concerns not only the prisoners ...t the society as well from which they were taken away. They ...ways looking forward to the time when they can come out and ...th their nears and dears and to the very society in which they ...en living before. Sir, if you consider the position of the ...s of these unfortunate prisoners you will realise that these ...s expected to see them periodically and to comfort and console ...at the time was coming when they would be able to return home. ... of that these prisoners were wrested away from this province ...as causes despair on both sides. When these prisoners are ...ted to this "Paradise on earth" their relatives give up all ...f seeing these prisoners who think that as they had been wrested ...om this province and as the Government has forgotten them ...e naturally given to despair and despair is followed by normal ...iences.

What is the issue that has been raised. It is that they simply ...d that they should be repatriated and no one can question the ...acy and the reasonableness of the demand. They hope that the ...nce of the Government would be awakened and the grievances ... be redressed. There is another demand, for the release of the ...s. The House will soon have to give its verdict on that question. ... meantime it is gratifying to find that these prisoners who have

been dubbed as dangerous criminals have not lost their civic sense or political sense and even within the radius of their cells they have been thinking of their unfortunate brethren who have been the victims of the ruthless policy of the Government. Whatever may be the proportions of the parties and whatever may be the party affiliations—I do not appeal to the Treasury Bench as it is useless to do so—I appeal to other friends to consider who these detenus are. Sir, you will excuse me when I appeal to the other members of the House to consider how they got this constitution. We on this side of the House do not attach greater value to the constitution than the figure of this hall; but to those friends who think that this constitution is worth the paper on which it is written I would appeal to them to consider how they got the constitution. It was not a gift of British generosity which was freely given but it was the result of endless toil and sacrifice on the part of those prisoners who have been described as detenus. Sir, the President of the Congress has been a prisoner the Leader of the Opposition has been a detenu and so many others. Sir, this side of the gallery is full of prisoners and detenus of different grades and descriptions. We know them no less and appreciate them. I appeal to the members of the House belonging to all sections to consider what a duty we owe to them. The other day I heard the Finance Minister referring to the pathetic figure behind the plough. I would ask them to look to the emaciated figures of those patriots who have toiled and sacrificed. It is only on account of their toil and sacrifice that the Members of the Cabinet are reaping the bumper crop of the Ministry. As I have already submitted, it is useless to appeal to their conscience but certainly I am entitled to appeal to other friends to lay their hands on their breasts and to consider the issues on the merits and not to be influenced by the affiliation, which is only a subsidiary matter. My learned friends may say that they are reflecting the views of the people of Bengal; if that is so, I would appeal to them to rise up to the occasion and to show to the people of Bengal that we are not going to be carried by the Government but that we are determined to shape the destiny and the conduct of the Government.

A member from the ministerial benches: Sir, I rise on a point of information. As I am ignorant of the facts, may I enquire whether the prisoners in the Andamans include convicts only or they are convicts or detenues.

Mr. SPEAKER: When the Hon'ble Home Minister replies, he will perhaps give an answer to your query.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, I fully realise the gravity of the situation and agree with the mover of the resolution that the situation created is very grave and serious—grave and serious

in two ways. First of all the lives of hundred or more people are at stake and then there is the question of very serious consequences in the country as a whole: (Hear, hear). I would like the House to realise the gravity of the situation because they, I think, should decide what procedure should be followed in meeting this situation. The question before the House is whether Government should yield to the demand from Andamans convicts that unless their grievances are settled they will keep up the hunger strike and put an end to their lives. Therefore the point for consideration is whether this House wants the Government to surrender or the other way—for the people of Bengal and the members of this House to declare that this is a proposition which no responsible Government can accept; further they should not countenance the attitude taken up by the hunger strikers, and they should make an appeal to them that this is not the way in which any Government should be approached. Everything will depend on the attitude of the people of Bengal. If these poor misled people think that they are going to receive countenance and support from the people of Bengal and from the members of this House in the attitude that they have taken then I am afraid there is every likelihood of their continuing their hunger strike. If, on the other hand, it is made clear to them that what they have done is not right, the attitude they have taken is not correct and they should not expect any sympathy, and at the same time if an appeal is made to these people to give up their hunger strike then there is very likelihood that the lives of these people would be saved.

I would not like to tell the House why Government cannot accept the demands that have been made. The question of merit of the demand does not arise at all. It is a question of principle and it is a fundamental principle that no Government can yield to threat; because if it does the very foundation and structure of Government will crumble to pieces: if anybody comes forward and says "unless my demands are accepted I shall go on hunger strike and allow myself to be killed," Government cannot yield.

I can cite any number of cases and situations that may arise which will make it obvious to anyone who wants to judge this question without prejudice and in a fair and impartial manner that the proposition that has been put forward cannot be accepted by any Government. Supposing to-day that those people who are not—I accept the word only for the purpose of this motion—political prisoners, supposing 50 political prisoners who have taken part in gang dacoities, have committed murders and tortured or violated women—supposing such 50 prisoners come and say that "unless we are released immediately and unless we are put to Divisions I and II we are going on hunger strike and give up our lives." Are Government going to give in? It is not a proposition which this House can accept.

Then let me put another aspect of the question. It has been asserted by some that a distinction and a differentiation should be made between the cases of people who have committed murder, who have committed dacoities and who have committed acts of violence because they have done them from patriotic motives as distinct from those who committed them from base motives. I would like to put before the House that murders have been committed for reasons more sacred than that of patriotism. There are people who have given their lives because they have believed in their religion, in their faith and in their Prophet. Supposing to-day if anyone of them has committed murder on the ground that his Prophet has been defamed would his life be spared. Supposing there are people belonging to both communities——(Voices from the Opposition Benches: Their case is different.) (Cries of "Don't interrupt him" from the other side.)

Mr. SPEAKER: There will be no order if there is such interruption when the Hon'ble Minister speaks. It is the duty of the members to draw my attention to any offending remark and I think the Speaker is fully cognisant of his duty. It will create a pandemonium if members on one side try to interrupt the Hon'ble Minister when he is speaking and there is again counter-interruption from the other side. I hope there will not be such unseemly conduct any more. I am speaking to both sides.

The Hon'ble Khwaja Sir NAZIMUDDIN: I will put before the House the cases of both Hindus and Muslims who have been guilty of rioting, who have been guilty in certain cases of murder, who have been guilty of other serious offences in their belief for their religion: for example detestation of cow-killing or protest against music before mosques these people are now in imprisonment. Does the House accept the proposition that because these people have gone on hunger strike and demand immediate release that Government should give in? I put it to the House that the proposition that has been placed before Government is an impossible proposition. No Government can accept a threat of this kind. It goes against the very fundamental principle of good Government——(A voice: We have no information as to what is the proposition.)

Mr. SPEAKER: You cannot intervene in the midst of a debate unless you want to raise a point of order.

(A Muhammadan member raised a point of order in Bengali, as to the hypothetical nature of the Hon'ble Minister's arguments.)

Mr. SPEAKER: I have understood your point of order. I am afraid you have totally misunderstood the Hon'ble Minister. He is developing his argument by saying could he do this or could he do that.

I think that is a fair statement. He has put a concrete case and I think he is entitled to put a hypothetical case just as my friends on the other side referred to certain hypothetical cases.

The Hon'ble Khwaja Sir NAZIMUDDIN: Now, I should like to draw the attention of the House to the fact that to-day there is a demand from the Andaman prisoners that they should be repatriated, that all detenus should be released and that political prisoners should be released and for certain other concessions. Supposing Government were to concede anyone of those demands; supposing for argument's sake that these Andaman prisoners would be brought back to Bengal.

Mr. TULSI CHANDRA GOSWAMI: That is all we want.

The Hon'ble Khwaja Sir NAZIMUDDIN: I am not going into the merits of the question: but into the fundamental principle involved in this demand. Once the Government concede the question of repatriation, it is likely that the next demand will be after they have been brought back that they should be released. Supposing to-morrow a large number of detenus go on hunger strike and demand that they should be released immediately what would be the position of Government. Government of this province will become impossible if things continue in this manner; in fairness to all I think it is only right and proper that once for all Government make it clear that they are not going to surrender threats of hunger strike, I am sure that other people will not make any such attempt.

There is another method by which hunger strike can be prevented, that is by the members of this House and the public at large making it clear to the strikers that it is against the fundamental principle of Government to go on hunger strike to seek redress of their grievances.

Let me tell you one of the points raised by the honourable mover and the speaker that followed him that is why were these people sent to Andamans and were they sent there as a penal measure. I am afraid it is absolutely incorrect. The majority of the first batch of prisoners who were sent to Andamans were sent there because of deliberate acts of their own. They made the lives of the jail authorities extremely difficult, they violated orders, they assaulted warders, sent information and messages outside; and we have got reports to show that they were practically at that time directing the terrorist movement from the Andaman Detention Camp (Question). Therefore in view of these things and in view of the grave situation at that time Government decided to send these people to Andamans. (A VOICE: What about the second batch?)

The Hon'ble Khwaja Sir NAZIMUDDIN: Let me tell you who are the prisoners now lodged in Andaman Jails. No one convicted of sedition is there. Mostly, practically all of them, have been convicted of murder, attempted murder, dacoity with murder and people possessing dangerous weapons, such as, revolvers and bombs or things like that or people waging war against the King, that is, those people who took part in the Chittagong Armoury Raid. It is very easy to appeal to the emotional side of this House. But this House should remember that they are the people who have committed murders, who have made many women widows, who have made children orphans; and the people whom they have murdered are not confined to any particular community but Europeans, Hindus and Moslems, and the Indians have been larger in number than the Europeans. Some of the people who have been killed had absolutely nothing to do with any official duty whatsoever. I may remind the House about an incident in the Hilli station raid. There one of the raiders shot one indigent peon dead: that man was quite innocent. That murdered is also in the Andamans now. These are the people who are in the Andamans and not those who have been convicted of sedition or political offence. People who have been convicted of grave offences and sentenced to five years' imprisonment and upwards, they are in the Andamans. I am sure the House will remember that it were the acts of these people that compelled Government to send them to the Andamans.

So far as the treatment of these prisoners in Andamans is concerned, during years 1932-34 and up to now those questions are dealt with by the Government of India as Andamans is in their hands. The questions for this House to consider is that whether in view of the hunger strike the Government of Bengal should bring these prisoners back, I have made it abundantly clear that it is not possible for any Government to accede to any demand while the hunger strike continues.

The mover of this motion referred to various complaints about food and other things. The question of placing prisoners in Divisions I, II and III does not affect merely the prisoners in the Andamans but also the prisoners in Bengal. As a matter of fact so far as the Andaman prisoners are concerned the responsibility was entirely with the Government of India and so far as the prisoners in the various Bengal jails are concerned the responsibility lies with the Government of Bengal. I have taken over charge of the Jails only very recently. These are questions which can be gone into later on and I am quite willing when the hunger strike is over and the session of the Assembly is over to go into these questions and see whether provision can be made for improving the condition of jail life in Bengal.

Mr. SANTOSH KUMAR BASU: By that time all the prisoners will die!

The Hon'ble Khwaja Sir NAZIMUDDIN: There is one other thing that I would like the House to know. Originally, I had intended that I would announce our policy regarding detenus when the detenu question would be taken up here. But in view of the circumstances and in order to show the trend of Government's policy I am prepared to state only a portion of our detenu policy in connexion with prisoners detained under Regulation III of 1818——

(At this time the Hon'ble Minister reached the time-limit, but was allowed 2 minutes to continue his speech.)

—prisoners detained under Regulation III of 1818 and detenus outside Bengal. Government have already arrived at the decision to bring persons detained under Regulation III of 1818 and detenus outside Bengal back to Bengal as soon as arrangements can be made for them. So far as the question of the Andamans is concerned there can be no question of consideration of their repatriation during hunger strike. After the detenus and Regulation III prisoners have been brought from outside into Bengal, and if the conditions are favourable and if Government co-operation and support from the public in creating an atmosphere of good will and peace (A voice: Too many 'ifs'.), so that there is no danger of any recrudescence of trouble, or if Government feel that they are in a position to take action whenever trouble arises, then and then only will Government be prepared to consider the question of bringing the Andaman prisoners back to Bengal. Now, Sir, I would make an appeal to the House. If there is going to be any loss of life, I submit that that responsibility will lie on those who encouraged and raised hopes in the minds of those who have gone on hunger strike. The real course is to make it clear to them that this is not a question which any Government can accept, and they should accordingly be asked to give up the hunger strike, and it is then only that hunger strike will end.

SANTOSH KUMAR BASU: Then, you are their greatest supporters!

[At this stage both Mr. Tulsi Charan Goswami and Mr. Syamaprasad Mookerjee rose to speak.]

SPEAKER: Mr. Tulsi Charan Goswami.

SYAMAPRASAD MOOKERJEE: Will you please allow me to speak after Mr. Goswami replies?

SPEAKER: My difficulty is that there has already been a motion for closure from one side of the House, but I have not taken advantage of that as I think that I ought to give an opportunity to

that section of the House which has not spoken at all. So, in fairness I should allow Mr. Syamaprasad Mookerjee to speak, and after that Mr. Tulsi Charan Goswami if he wants to give his reply.

A member from the landlords' benches: Sir, on behalf of the landlords I want to speak—

Mr. SPEAKER: That depends upon the attitude of the House. If after these two members have spoken a closure is again demanded then I am helpless.

Mr. SYAMAPRASAD MOOKERJEE: Mr. Speaker, Sir, I would not have taken part in to-day's discussion if the statement which the Hon'ble the Home Minister has made on behalf of Government had been satisfactory. Sir, I believe there has been some confusion of ideas on the part of the Hon'ble the Home Minister, which, I agree, might be due to the fact, which he himself has acknowledged, that he has had time only for the last four months to go deeply into questions of the character which are now under the consideration of the House. In the first place, Sir, let me make it clear that the question before the House is not the character of the offences which the people who are now in the Andamans Islands were originally charged with or convicted of. That is the first question which the Hon'ble the Home Minister and the members of the House have got to remember. The question, Sir, is one of policy. I agree with the Hon'ble Khwaja Sir Nazimuddin that the question is one of fundamental policy, and the principal policy is: "Should the Andamans continue to be a penal settlement now and in future?" That is the principal question, Sir, I hear one member saying "Ha, ha"; it came, Sir, from the European Benches, and, I shall have something to say in reply to that "Ha, ha," by taking my facts and figures from the country to which that gentleman belongs. Now, Sir, the question is about this transportation business, whether prisoners who have been convicted should be sent out of their motherland to a place like the Andamans or to similar other places to serve out their sentences. The Hon'ble Khwaja Sir Nazimuddin has laid down a fundamental principle. The fundamental principle is that these men had no buisness to hold a pistol at the head of the Government and demand redress of their grievances on the threat of going on hunger strike if such grievances were not redressed. Sir, in fairness to all I had expected Sir Nazimuddin to state all the facts before the House. Sir, what are the facts that we have so far been able to gather? The facts are the following: On the 20th of July 1937, it appears that a petition containing their grievances was forwarded to the proper authorities. That was apparently sent through the proper channel, and let this point be clearly understood by all members of this House. You may or may not agree with their view-point, but what is the procedure they adopted?

They appealed to the Government of India; the Government of India sent back their reply that they were not prpared to listen to their grievances, and it is only after that that they had resorted to hunger strike. What else, I ask, could they have done? They are not living in a place where public opinion can make its influence felt upon incidents taking place inside the jail. Something is happening; according to the inmates, something serious is happening, and they want redress. They have other grievances which they want to be attended to. Redress is denied to them, and as a result they resort to hunger strike. With what object do they take this serious step? With the object of drawing the attention of the people of India to the state of affairs existing in the Andamans Settlement and also to matters vitally affecting their interests. That is the first question, Sir, which I would ask the Hon'ble Khwaja Sir Nazimuddin to bear in mind. The next question is, what attitude should the Government of Bengal take up in a situation like this? Their responsibility is tremendous for it is they who sent these prisoners to the Andamans. It may be that Government cannot comply with all the grievances contained in their representation, there may be reasons for that which are best known to members of Government. The Hon'ble Sir Nazimuddin says that the only thing that can be done now is for the leaders of public opinion to advise them to give up their hunger-strike. (Two non-official Muhammadan members were now engaged in conversation with the Hon'ble the Chief Minister and the Hon'ble the Home Minister.) Sir, I would like to have the undivided attention of the members of the Treasury Bench, if possible. The Hon'ble the Home Minister says that leaders of public opinion should advise these persons to give up the hunger-strike. That was, of course, a suggestion made by the Government, but what would happen after that? According to the Hon'ble the Home Minister their life would be safe, but what about the duty and responsibility of Government? Would the Hon'ble the Home Minister say that if the hunger-strike were withdrawn, Government would consider the matter on its merits? (Cries of "Yes, yes" from the Treasury Bench.) But where is the declaration of policy to the effect? The Hon'ble Labour Member says: "Of course"; I do not know on whose authority he says that that will be done? (The Hon'ble Mr. H. S. SUHRAWARDY: We will see.)

I was listening carefully to the remarks of the Hon'ble the Home Minister, and I was wondering whether he was going to make any statement regarding the general policy as to whether the Andamans should continue as a penal settlement or not. He has not done so. It is very necessary, Sir, in view of the statement which the Hon'ble the Home Minister has made that we should drop just for a few brief months the history. Now, Sir, when were the Andamans Islands started as a penal settlement? It was in the year 1789 through the influence of the Government of Bengal, as it then was, that one Captain Blair was asked

to establish a penal colony in the Andamans. Two years later this proposal was dropped, but was revived during the Indian Mutiny as a penal settlement. Then, Sir, I find,—I do not know if the Hon'ble the Home Minister has considered this aspect of the matter carefully—that in 1921 there was a definite announcement of policy made on behalf of the Government of India by the then Home Member, Sir William Vincent. It appears that Sir Reginald Craddock, who was then in the Home Department of the Government of India, was specially sent out to the Andamans to submit a report. The report came and the report formed part of the deliberations of the Indian Legislative Assembly. I have got here three quotations from the speech of the Hon'ble the Home Member, a European and not an Indian, but who had the courage of his conviction to say that this settlement must be abandoned by the Government of India. (Cries of "Hear, hear".) Sir, what is the decision which was pronounced on behalf of the Government of India by Sir William Vincent? These are the words, Sir. I would ask the Hon'ble Khwaja Sir Nazimuddin, the first Indian Home Minister in the Government of Bengal, to ponder over these words: "The decision that the time has now come to end this penal settlement altogether has been taken." That, Sir, was the pronouncement which was made as early as 1921 on the floor of the Indian Legislative Assembly. Even Sir William Vincent was apparently prepared to distinguish between ordinary offenders and political offenders, because his next sentence was as follows: "We have issued orders that all political prisoners and women should be immediately returned to their respective provinces." Sir, the confusion which the Hon'ble Khwaja Sir Nazimuddin, without intention, I shall say, has tried to create in the minds of the members of the Assembly is as if we are demanding that these prisoners should be released forthwith. That is not our position. All that we say is that the Hon'ble Khwaja Sir Nazimuddin, the first responsible Home Minister of the Government of Bengal, should take courage and make an announcement of the policy of Government that the Andamans are going to be abandoned as a penal settlement so far as Bengal is concerned. Look at the United Provinces. What did he say yesterday when a similar matter came before the United Provinces legislature? What he said is this: We are not concerned with the offences of these convicts, but we agree that the Government of India should be told that these convicts, so far as the United Provinces are concerned, should be sent back to their provinces, and in future no convicts are to be sent to the Andamans so far as the United Provinces are concerned. (Cheers from Congress benches.) That is not a surrender of any fundamental policy or principle by a Provincial Government. I am looking to the Chief Minister, the Hon'ble Mr. Fazl-ul Huq. (The Hon'ble Mr. A. K. Fazl-ul Huq: Why?) who is regarded as the champion of the liberty of the people. I would ask him to take courage in both hands. We know his difficulty for he referred to the

delicate handling required so far as the I.C.S. officers were concerned, and I also understand his difficulty in delicately handling some of his colleagues—but let him face the situation manfully. I would repeat that the question does not constitute a surrender of any important or fundamental policy. I would request the Hon'ble the Chief Minister to get up and say that so far as the Andamans are concerned it is closed for ever for Bengal. All that we suggest is that as a first step we should bring them back to our province. That was the idea in 1921. Nay, Sir William Vincent said something more. He said that it was for the local Governments to decide whether these convicts should be brought and accommodated in the jails of the provinces and he concluded with words which bear repetition. These words show how different was the outlook of the Government of India—so far as their sympathetic attitude was concerned, so far as their wise statesmanlike policy was concerned, so far as their real appreciation of the feelings and sentiments of India was concerned. This is how he ended: "The report has caused the Government of India the greatest concern" and further, "We hope that in a few years this blot on the British administration would be removed. Sir, that was a statement publicly and openly made by Sir William Vincent in 1921.

"Let us forget the terrorists for the time being, let us forget the nature of their offences for the time being, let us ask ourselves whether we are ; ared to justify the policy of sending convicts hundreds and ·· nds of miles away from their home to a place where the Govern- concerned has no control. Something, Sir, must have happened · 1921. I find that after 1921 whenever questions were raised in the ·lative Assembly the reply was given that they were still consider- d would take some time before reaching a final decision. Then · we come, Sir, to 1933 when Sir Henry Craik made a definite ent that the Settlement must continue, for there was overcrowd- jails in some of the provinces and further, there were the terrorists Bengal Sir, the question is that at one time at any rate the ament of India was satisfied on a report obtained not from any nsible person but from a further Home Member from the Govern- of India that this Settlement should be abandoned.

w, Sir, I shall turn to my European friends. What about a settle- ike this in their own country? Is it known in England? I get ly from any members but I have got the figures here and I have me facts which throw a flood of light on how history has progressed. find that the United States of America were first utilised for the e of sending convicts from England. Then, Sir, came Australia. later decided in Parliament that these persons must not be sent England and arrangements had to be made for the purpose of g them in England. Sir, I have got the facts which throw ting sidelight to show how this matter had developed in their

country. In fact, Sir, in 1837—100 years ago—the policy of transportation of British convicts outside the shores of England was abandoned and now we are sitting in the year 1937 and there is serious opposition from Britishers, on grounds which I fail to discover, to a proposal why such a settlement should not disappear so far as Indians are concerned.

Sir, hunger strike is a serious matter———

Hon'ble Mr. H. S. SUHRAWARDY: But what is the reason for hunger strike?

Mr. SYAMAPRASAD MOOKERJEE: It is not because Mr. Suhrawardy has become a Minister. What is the reason? Does not Mr. Suhrawardy know that hunger strike is due to the principal fact that the Andamans has to be abandoned as a penal settlement of this country.

Hon'ble Mr. A. K. FAZLUL HUQ: We do not accept that proposition.

Mr. SYAMAPRASAD MOOKERJEE: Let us accept the challenge. Let the Government of Bengal get up and say that the penal settlement will be withdrawn, that the Government of Bengal is going to do what the United Provinces Ministers have done and let us see if hunger strike continues thereafter.

Hon'ble Mr. A. K. FAZLUL HUQ: The analogy of United Provinces does not hold good.

Mr. SYAMAPRASAD MOOKERJEE: Yes, yes. Nothing holds good so far as Mr. Fazlul Huq is concerned.

Now, Sir, so far as my European friends are concerned, I shall specially appeal to them to support us on this occasion. Sir, the question is one of humanity: the question is not what the nature of the offences has been. Sir, it should not be forgotten that so far as Great Britain is concerned legislation after legislation has been put on the Statute Book during the last one century for the purpose of looking at the prisoners' problem from a humanitarian point of view with a desire to reclaim them for the benefit of society. Why should not that policy be generously and whole-heartedly followed in India also?

Let us concentrate on the main issue. If after the fullest consideration of the materials before the Government they say, penal settlement must continue in Andamans, then Sir, the responsibility for arriving at such a decision should rest with the Government. Khwaja Sir Nazimuddin said that so far as these prisoners were concerned, if any

of them loses his life the responsibility would rest on persons who excited them to take such step but let him at cooler moments consider as to who is goading them to take such a fatal step not the people but the Government.

Hon'ble Khwaja Sir NAZIMUDDIN: Those who call these prisoners patriots and heroes goad them to take such a step.

Mr. SYAMAPROSAD MOOKERJEE: Sir, the Hon'ble Minister says that the responsibility rests on those who call them patriots and heroes. Let us not quarrel about words. Let us not call them patriots and heroes: call them convicts but treat them as human beings and bring them back to their country.

Mr. SPEAKER: In view of the fact that this is the second time that the member is persisting in moving a closure motion I am prepared to consider it. I will now ask Mr. Goswami to give a reply and after that Sir Nazimuddin. If after that the gentleman still persists I shall have to put the motion

Mr. SHAMSUDDIN AHMED: Mr. Speaker, Sir, as Mr. Fazlul Huq has taken the responsibility of running the administration of this ...nce we want to hear him on this subject.

...r. **TULSI CHANDRA GOSWAMI:** Mr. Speaker, when the ...le Minister retreated to a ...ign of vantage in order that he might ...conveniently deliver a statement to the House I felt that some pronouncement was to be expected Instead, I found during the ... minutes that he addressed us that he only stressed one point, ... that the Andaman prisoners are convicts, they are terrorists, ...re criminals. Why have sympathy with them? I felt also that ...ld make our point clear,—that it was not sympathy for crime ...akes us stand up for them but it is, as my honourable friend ...yamaprosad Mookerjee so eloquently said, the question of humane ...ent for the prisoners. I said earlier in the afternoon and I ... it—it is necessary to repeat because apparently the Home ...er did not listen to me—that when a sentence is awarded, when ... convict people, it is not necessary for the executive, and it is ...ht for them, to enhance such sentences by additional severities ... Andamans. This question was not answered by the Home ...er, though I think that he should have answered it. In the ...mans the local conditions are so bad that persons have been ... to resort to hunger strike. This is not the first time, the first ... strike as I pointed out earlier this afternoon, this is the third ... strike in 5 or 6 years' time. So the local conditions in the ...mans are also matters that concern us, apart from the question

of repatriation. You have to make it possible for the convicts to live human lives. They are already separated from their homes by thousands of miles.

Then we have been told that we were doing nothing to dissuade the hunger strikers from going on with the hunger strike. May I bring to the notice of the Hon'ble Minister that there was a proposal to Government to allow either our leader Mr. Sarat Bose or my honourable friend Mr. J. C. Gupta to have a frank talk with one of the hunger strikers, Mr. Bhupal Bose, who had been brought down to Calcutta for medical treatment. That offer was rejected. The Bengal Provincial Congress Committee has passed a resolution asking the hunger striker to desist from continuing their hunger strike. It is not that we on this side of the House and those whom we represent are lacking in any feeling of humanity! We do not want to make a stunt of this hunger strike. We are deeply conscious of a grave situation in the Andamans and of the prospect of the loss of life there.

Then, Sir, as regards repatriation and the policy of coercion, as the Home Minister puts it, the Ministers of the United Provinces Government have decided that all the United Provinces prisoners should be returned to their home province. I do not think that the Government of the United Provinces are entirely devoid of a sense of responsibility, a sense of the peril that might follow any course of action which they might decide to take. As regards coercion, what about amnesties? Were not the British Government compelled to grant general amnesty in the year 1921 in India? There must be coercion somewhere, sometimes. I do not think because these people have gone on hunger strike they should be further penalised. They have been repeatedly asking for redress of local grievances they have not been redressed and I have not heard one word from the Home Minister which indicates that he has really given a serious thought to the question: In fact his speech betrayed one thing, that he has very little information regarding hunger strike, otherwise he would have given it to us. I am very sorry to say this on the floor of this House. Whatever the fate may be of the division on my motion, we on this side of the House will indicate that at least this section of the House feels strongly about it; it will also show up those who may choose to oppose it.

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, may I first draw the attention of the House to a statement of Mr. Syamaprasad Mookerjee and state that the petition that was submitted to the Government of India on the 20th July contained a threat to hunger strike and was not merely asking for redress of grievances, the Government of India naturally refused to consider that petition. Sir, the cases of other provinces have been cited. So far only the United Provinces Prime Minister has indicated that he proposes to ask for repatriation and

perhaps Bihar may do the same, but I would like to place before this House that the conditions in Bihar and the United Provinces and Bengal are quite different. The United Provinces have got five people in the Andamans: they were all convicted of offences outside the United Provinces whereas the total number of hunger strikers is 187 out of which 156 are from Bengal and out of 72 who have struck work 68 are from Bengal. The terrorist problem in Bengal is quite different from that in the other provinces of India. No other province, I think, had an incident like the Chittagong armoury raid. So it is futile to compare Bengal with other provinces. If to-day our problem was the same as the United Provinces, there would have been no difficulty in saying "Yes, we would release them." But the condition of Bengal is quite different. Then, Sir, I should like to state, with reference to Mr. Syama-prasad Mookerjee's observations which contained facts and figures, that he has unfortunately forgotten that the conditions prevailing in the Andamans in 1921 are not the same as those prevailing there since 1932. Since 1921 a large area has been reclaimed, the health of the place has been improved. May I read to you a note that I have in my possession—(SEVERAL VOICES: Why don't you go there.)

Mr. SPEAKER: Order, order. I would request hon'ble members not to show impatience I found that when the members of the Opposition spoke there was absolutely uninterrupted silence on this side. Otherwise the situation will become intolerable. I appeal to my friends on the Opposition to be good enough to hear patiently when the other side is speaking, so that any acrimonious debate will be avoided.

The Hon'ble Khwaja Sir NAZIMUDDIN: The hon'ble mover of the motion asks for facts. Sir, let me give him some facts. A grant of Rs. 200 was given for a library for the prisoners who are allowed to select their books and we know that a large consignment of books was sent from Messrs. Newman & Co and Gurudas Chatterji and Sons. A grant of Rs. 100 was made for a recreation ground to enable the prisoners to play football, volley ball and ping pong. There is a physical instructor to instruct the prisoners who may like to take physical exercise. The prisoners have got a room which is fitted with electric light. A large number of ordinary prisoners volunteer to go to the Andamans and they would not do so if the condition and the climate had been anything but satisfactory or inimical to the people of Bengal. Two prisoners, namely, Rabindra Nath Bauerji and another, Dr. Taranath Bhattacherji, petitioned to Government to be sent to the Andamans. But they could not be sent there as they are Division B prisoners who cannot be sent as colonists. The Settlement has improved a great deal since 1920 when it was visited by the Indian Jails Committee.

Mr. PRAMATHA NATH BANERJEE: May I rise on a point of information? May I know whose report is the Hon'ble Home Minister reading from?

The Hon'ble Khwaja Sir NAZIMUDDIN: Sir, these are statements of fact which have come to the knowledge of Government.

Now, Sir, I may again state that as long as the question of hunger strike is not there and when there is no question of interpretation that it is a concession made for hunger strike, Government will be prepared to sit round a table and have a conference at which the members of the Opposition and other members of this House may place before them their points of view of the case and Government are prepared to listen to the case that may be put forward on the question of the repatriation of the prisoners to Bengal. But I want to make it perfectly clear that it must be definitely at a time when there can be no question whatsoever of any threat of hunger strike or the possibility of a threat of hunger strike or any question of yielding to hunger strike.

(Several voices: The question may now be put.)

Mr. SPEAKER: I have been asked to put the motion: "The question be now put." Under the rules I have to put it.

Although in the earlier part of the discussion I did not accept the motion but in view of the discussion we have had I have decided to put the motion.

The question before the House is that the motion be now put.

The motion was then put and agreed to.

Then, the motion that the business of the Assembly be adjourned for discussing a matter of urgent public importance, namely, the hunger strike of a large number of political prisoners from Bengal who have been lodged in the Andamans Islands, was put.

On the Speaker declaring that the "Noes" have it, Dr. Nalinaksha Sanyal shouted: "The Ayes have it."

Mr. SPEAKER: I am sorry that Dr. Sanyal has questioned my authority. He can only call for a Division but he cannot disregard my decision, and I expect him more than anybody else to know this. It is not for him to say: "The Ayes have it."

Dr. NALINAKSHA SANYAL: Sir, I never intended to disregard your ruling, but I simply wanted to draw attention to the Parliamentary practice where a member can simply say "The Ayes have it" or "The

Noes have it" instead of calling for a Division. If that is the correct procedure in the British Parliament, I only wanted to follow it and I had not the slightest intention of questioning your ruling, Sir. In Parliament a member may call for a Division by saying "The Ayes have it", when the speaker says "The Noes have it."

Mr. SPEAKER: I have nothing further to say except that if my friend, Dr. Sanyal, had so sweetly said what he has said now, there would have been no occasion for this.

The motion being put, a Division was taken with the following result:—

AYES.

Abdul Hafez, Khan Bahadur Syed.
Abdul Hakim, Maulvi.
Abdul Wahed, Maulvi.
Abu Hossain Sarkar, Maulvi.
Abul Fazal, Mr. Md.
Abul Quasem, Maulvi.
Acharyya Chaudhary, Maharaja Sashi Kanta of Muktagacha, Mymensingh.
Aftab Ali, Mr.
Ahmed Khan, Mr. Syed.
[illegible]din Ahmed, Mr.
[illegible] Mr. P.
[illegible] Mr. Pramatha Nath.
[illegible] Mr. Sheath.
[illegible] Mr. Satya Priya.
[illegible], Mr. Manoranjan.
[illegible] Babu Shyama Prosad.
[illegible]bu Jatindra Nath.
[illegible] Santosh Kumar.
[illegible] Dr. Gobinda Chandra.
[illegible]r. Rasik Lal.
[illegible]Mr. Surendra Nath.
[illegible]rty, Babu Narendra Narayan.
[illegible]rty, Mr. Jatindra Nath.
[illegible]dhyay, Babu Haripada.
[illegible] Mahim Chandra.
[illegible] Radhanath.
[illegible]ra, Babu Khagendra Nath.
[illegible], Dr. J. M.
[illegible]a, Mr. Narendra Nath.
[illegible]r. Dhirendra Nath.
[illegible]r. Narendra.
[illegible]. Sukumar.
[illegible]pta, Miss Mira.
[illegible]mumdar, Mr. Niharendu.
[illegible] Haque, Kazi.
[illegible]r. Atul Krishna.
[illegible] Ahmed, Mr.
Gomes, Mr. S. A.
Goswami, Mr. Tulsi Chandra.
Gupta, Mr. Jogesh Chandra.
Gupta, Mr. J. N.
Hasan Ali Chowdhury, Mr. Syed.
Himatsingka, Mr. Prabhudayal.
Jalaluddin Hashemy, Mr. Syed.
Khaitan, Mr. Debi Prosad.
Khan, Mr. Debendra Lall.
Kumar, Mr. Atul Chandra.
Kundu, Mr. Nishitha Nath.
Maiti, Mr. Nikunja Behari.
Maitra, Mr. Surendra Mohan.
Maji, Adwaita Kumar.
Majumdar, Mrs. Hemaprova.
Mazumdar, Mr. Birendra Nath.
Mal, Mr. Iswar Chandra.
Mandal, Mr. Krishna Prasad.
Maqbul Hossain, Mr.
Masud Ali Khan Pasni, Maulvi.
Mookerjee, Mr. Shyamaprasad.
Mukherjee, Mr. S.
Mukherji, Dr. H. C.
Mukherji, Dr. Sharat Chandra.
Mullick, Srijut Ashutosh.
Mr. Stuta AN Dewan Sahib, Mr.
Mukherjee, Dhirendra Narayan.
Nasarullah, Nawabzada K.
Pain, Mr. Baroda Prosanna.
Roy, Mr. Kamalkrishna.
Roy, Mr. Kiran Sankar.
Ray, Mr. Kishori Pati.
Roy, Mr. Manmatha Nath.
Sanyal, Dr. Nalinaksha.
Sanyal, Mr. Sasanka Sekhar.
Sen, Babu Nagendra Nath.
Sinha, Srijut Maniendra Bhusan.
Zaman, Mr. A. M. A.

NOES.

[illegible]aiz, Maulana Md.
[illegible]ari, Maulvi.
[illegible]ain, Mr. Mirza.
Abdul Hafiz Mia, Mr.
Abdul Mohsem, Mr.
Abdul Hakim Vikrampuri, Mr. Md.

Abdul Hamid, Mr. A. M.
Abdul Hamid Shah, Maulvi.
Abdul Jabbar, Maulvi.
Abdul Kader, Mr.
Abdul Karim, Mr.
Abdul Latif Biswas, Maulvi.
Abdul Majid, Mr. Syed.
Abdul Wahid Khan, Mr.
Abdulla-al Mahmood, Mr.
Abdur Rahman, Khan Sahadur A. F. M.
Abdur Rashid Mahmood, Mr.
Abdur Rashood, Maulvi Md.
Abdur Rauf, Khan Sahib Maulvi S.
Abdur Rauf, Mr. Shah.
Abdur Razzak, Maulvi.
Abdus Shahood, Maulvi Md.
Abidur Reza Chowdhury, Khan Bahadur.
Abul Hashim, Maulvi.
Abul Hosaig, Mr. Ahmed.
Aftab Hossain Joardar, Maulvi.
Ahmed Ali, Khan Sahib Maulana Rasyetpuri.
Ahmed Ali Mridha, Maulvi.
Ahmed Hossain, Mr.
Afzaluddin Ahmed, Khan Bahadur.
Amiruliah, Maulvi.
Amir Ali, Maulvi Md. Mia.
Armstrong, Mr. W. L.
Ashrafali, Mr. M.
Aulad Hossain Khan, Maulvi.
Azhar Ali, Maulvi.
Bannerman, Mr. H. C.
Barat Ali, Mr. Md.
Barma, Babu Promhari.
Barma, Mr. Puspajit.
Barman, Babu Upendra Nath.
Biswas, Babu Lakshmi Narayan.
Bracher, Mr. F. G.
Campbell, Sir George, Kt.
Clark, Mr. I. A.
Cooper Mr. G. G.
Crosfield, Mr. L. M.
Dhs, MrsAnukul Chandra.
Das, Mr. Monmohan.
Dass, Babu Debendra Nath.
Ecber, Mr. Upendranath.
Farhad Raza Chowdhury, Mr. M.
Farhat Bano Khanam, Begum.
Fazlul Haq, the Hon'ble Mr. A. K.
Fazlur Quadir Khan Bahadur Maulvi.
Fazlur Rahman, Mr.
Fazlur Rahman Mukhtar, Mr.
Ferguson, Mr. R. N.
Gammeter, Mr. E. G.
Ghazzaddin Ahmed Chowdhury, Mr.
Golam Sarwar Hossini, Mr. Shah Syed.
Griffiths, Mr. G.
Gurung, Mr. Dumbar Singh.
Habibullah, the Hon'ble Nawab Bahadur K., of Dacca.
Hafizuddin Chowdhury, Maulvi.
Hamiduddin Ahmed, Khan Sahib.
Hamilton, Mr. K. A.
Hassanuzzaman, Maulvi Md.
Hashem Ali Khan, Khan Bahadur.
Hasina Ghurshed, Mrs.
Hatemally Jamadar, Khan Sahib.
Haywood, Mr. Rogers.
Hendry, Mr. David.
Hirtzel, Mr. H. A. F.
Idris Ahmed Mia, Mr.
Ispahani, Mr. M. A. H.
Jainuddin Ahmed, Khan Bahadur.
Jasimuddin Ahmed, Mr.
Jonab Ali Majumdar, Maulvi.
Kabiruddin Khan, Khan Sahib.
Kasem Ali Mirza, Sahibzada Kawas Jah Syed.
MacLauchlan, Mr. G. S.
Mafizuddin Ahmed, Dr.
Mafizuddin Chowdhury, Maulvi.
Maguire, Mr. L. T.
Mahtab, Maharajkumar Udoy Chand.
Mahtabuddin Ahmed, Khan Bahadur.
Mandal, Mr. Amrita Lal.
Mandal, Mr. Basha Behari.
Mandal, Mr. Birat Chandra.
Mandal, Mr. Jugat Chandra.
Maniruddin Ahmed, Maulvi.
Maniruzzaman Islamabadi, Maulana Md.
Miles, Mr. C. W.
Millar, Mr. C.
Milne-Robertson, Mr. C. E. L.
Mohsin Ali, Mr. Md.
Morgan, Mr. H.
Moslem Ali Mollah, Maulvi.
Mozammel Haq, Maulvi Md.
Muhammad Afzal, Khan Sahib Maulvi Syed.
Muhammad Ali, Khan Bahadur.
Muhammad Ibrahim, Maulvi.
Muhammad Ishaque, Maulvi.
Muhammad Ismail, Maulvi.
Muhammad Siddique, Dr. Syed.
Muhammad Sofaiman, Mr.
Mullick, the Hon'ble Mr. Mukunda Behary.
Mullick, Mr. Pulin Behary.
Musharruff Hossain, the Hon'ble Nawab, Khan Bahadur.
Mustagatwai Hoque, Mr. Syed.
Nandy, the Hon'ble Maharaja Sris Chandra, of Kasimbazar.
Nasher Ali, the Hon'ble Maulvi Syed.
Nazimuddin, the Hon'ble Khwaja Sir.
Nimino, Mr. T. R.
Noorduddin, Mr. K.
Patton, Mr. W. G.
Pramanik, Mr. Tarinicharan.
Rahman, Khan Bahadur A. M. L.
Raikat, the Hon'ble Mr. Prasanna Deb.
Rajibuddin Tarafdar, Maulvi.
Ramizuddin Ahmed, Mr.
Razzar Rahman Khan, Mr.
Rees, Mr. J. R.
Roy, Babu Patiram.
Roy, the Hon'ble Sir Bijoy Prasad Singh,
Roy, Mr. Dhananjoy.
Sadaruddin Ahmed, Mr.
Safiruddin Ahmed, Haji.
Salim, Mr. S. A.
Shamsulhak, Al-Haj Maulana Dr.
Sarkar, Babu Nalinaksha.
Sarkar, the Hon'ble Mr. Nalini Ranjan.
Sassoon, Mr. R. M.
Serajul Islam, Mr.
Shahabuddin, Mr. Khwaja.
Shahedali, Mr.
Shamsuddin Ahmed, Mr. M.
Shamsuddin Ahmed Khandkar, Mr.

Shamsul Huda, Maulana.	Wahid Rahman, Maulvi.
Singha, Babu Kshetra Nath.	West, Mrs. Ellen.
Steven, Mr. J. W. H.	Wordsworth, Mr. W. C.
Suhrawardy, the Hon'ble Mr. H. S.	Yusuf Ali Choudhury, Mr.
Tamizuddin Khan, Maulvi.	Zahur Ahmed Chowdhury, Mr.
Tofel Ahmed Choudhury, Maulvi Haji.	

The Ayes being 75 and Noes 150, the motion was lost.

Adjournment.

The Assembly was then adjourned till 3-30 p.m. on Thursday the 5th August, 1937, at the Assembly House, Calcutta.

Proceedings of the Bengal Legislative Assembly assembled under the provisions of the Government of India Act, 1935.

THE ASSEMBLY met in the Assembly House, Calcutta, on Thursday, the 5th August, 1937, at 3-30 p.m.

Present:

Mr. Speaker (the Hon'ble Khan Bahadur M. AZIZUL HAQUE, C.I.E.), in the Chair, eleven Hon'ble Ministers and 226 members.

STARRED QUESTIONS

(to which oral answers were given)

Appointment of scheduled castes in the Co-operative Department.

18. **Mr. RASIK LAL BISWAS:** (*a*) Will the Hon'ble Minister in charge of the Co-operative Credit and Rural Indebtedness Department be pleased to state—

(*i*) the total number of (1) auditors and (2) Inspectors under the Co-operative Department of Bengal; and

(*ii*) the number of them that are held by the members of the scheduled castes?

(*b*) Do the Government contemplate making up the deficiency, if any, in the scheduled castes element in the services under the Co-operative Department at the shortly expected appointments in the department?

(*c*) Have the Government formulated any policy for giving special facility to the members of the scheduled castes in matter of appointments under the Government, particularly in the Co-operative Department?

MINISTER in charge of CO-OPERATIVE CREDIT and RURAL INDEBTEDNESS DEPARTMENT (the Hon'ble Mr. Mukunda Behary Mullick): (*a*) (*i*) (1) 241 and (2) 84.

(*ii*) (1) 10 and (2) 2.

(*b*) Some of these appointments will be reserved for suitable and qualified candidates of the scheduled castes.

(*c*) The matter is receiving consideration.

Maulvi ABDUL BARI: How many Muhammadan Inspectors are there in the Co-operative Department?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I must ask for notice.

Mr. RASIK LAL BISWAS: With reference to answer (*b*) how many of these appointments will go to the scheduled caste in view of the fact that their legitimate share has been ignored so long?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: It has not yet been settled as to what exact number of appointments will go to the scheduled caste candidates.

Mr. RASIK LAL BISWAS: With regard to answer (*c*) is this question receiving the consideration of the whole Government or of the department concerned?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: It is at present engaging my attention.

Mr. RASIK LAL BISWAS: When will the Government come to final decision in the matter?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I am sorry cannot say.

Maulvi ABDUL BARI: May I have the number of Muhammadan visors and inspectors here in this Chamber to-morrow?

The Hon'ble Mr. MUKUNDA BEHARY MULLICK: I have already asked for notice of this question.

Cost of settlement operations in Gaibandha.

***19. Mr. AHMED HOSAIN:** Will the Hon'ble Minister in charge of the Revenue Department be pleased to state—

(*i*) what is the total amount of cost of the last settlement operations which has been assessed upon the people of the Gaibandha subdivision; and

(*ii*) how much of the same has already been realised?

MINISTER in charge of REVENUE DEPARTMENT (the Hon'ble Sir Bijoy Prasad Singh Roy): (*i*) Rs. 8,39,661-8.

(*ii*) Rs. 3,95,556-4.

Mr. SHAHEDALI: Are the Government not going to realise the unrealised portion of the cost?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Certainly not.

Mr. ABU HOSSAIN SARKAR: Has there been a rise in price of food-stuffs which enabled the Settlement Officers to enhance rents?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Within the last 15 years, first, there was a rise, then a fall and then again the price is rising.

Maulvi ABU HOSSAIN SARKAR: What was the average rise in price of food-stuffs?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: I want notice.

Maulvi ABDUL BARI: What cost was incurred by Government in carrying on settlement operations in Gaibandha?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Rupees 8,39,661 is the cost assessed on the tenants and landlords and the balance of 12½ per cent. was paid by Government.

Mr. SHAHEDALI: Is it the intention of Government, pending an amendment of the Bengal Tenancy Act, to stop further settlement under section 105?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Certainly, under section 105.

Enhancement of rents under Bengal Tenancy Act.

20. Mr. AHMED HOSAIN: (*a*) Will the Hon'ble Minister in charge of the Revenue Department be pleased to lay on the table a statement showing—

(*i*) how many cases under section 105, Bengal Tenancy Act, have been filed up to date from the subdivision of Gaibandha in the district of Rangpur;

(*ii*) how many of these cases have been decided;

(*iii*) in how many cases enhancement of rents have been decreed;

(*iv*) what is the total amount of enhancement decreed under sections 7, 30 (*b*) and 52 of the Bengal Tenancy Act in these cases; and

(*v*) what are the highest rates at which enhancement has been decreed in case of—

(1) tenures,

(2) occupancy holdings, respectively?

(*b*) Will the Hon'ble Minister be pleased to state whether it is in the contemplation of Government to amend the Bengal Tenancy Act so as to stop the enhancement of rents under section 105, Bengal Tenancy Act?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble Minister be pleased to state what relief the Government propose to give to the tenants against whom enhancement had already been decreed?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: (*a*) (*i*) 7,106.

(*ii*) 1,799.

(*iii*) 1,579.

(*iv*) Enhancement under—

	Rs.	a.	p.
(*a*) Section 7 ...	6,974	6	9
(*b*) Section 30 (*b*) ...	2,088	9	1
(*c*) Section 52 ...	486	12	4
Total ...	9,549	12	2

(1) 51 per cent. of the total asset, and (2) at 2 annas 6 pies per rupee and 3 annas per rupee in some compromise cases.

No.

Strictly speaking, this question does not arise, in view of the answer given to (*b*), but to avoid misunderstanding, I should make it clear that relief is being given to many of the tenants, most of whom are tenants of estates under the Court of Wards. The Court of Wards is to examine individual cases and give relief where justified.

Mr. AHMED HOSAIN: Is it in contemplation to suspend enhancement cases under section 105?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: Yes, Sir. Government propose to take powers in the Bill to amend the Bengal Tenancy Act for suspension of all powers for enhancement under section 105 and under other sections excepting section 52 of the Bengal Tenancy Act.

Mr. AHMED HOSAIN: What does the Government propose to do with regard to the cases already pending?

The Hon'ble Sir BIJOY PRASAD SINGH ROY: With regard to the pending cases Government also propose to take powers to give effect to this suspension with retrospective effect from the date of the publication of the Bill and on that basis Government propose to issue Executive instructions to Revenue officers not to try any further cases for enhancement under section 105 and under other sections.

Notice of an adjournment motion.

Mr. AFTAB ALI: Sir, I gave notice of an adjournment motion——

Mr. SPEAKER: I have given my consent to the matter being brought and I am now to decide whether it is in order or not. Will Mr. Aftab Ali kindly enlighten me on two or three points? Later on I shall consult the Hon'ble the Labour Minister for further elucidation. First of all, you have mentioned two incidents; one is the externment of Mr. Zaman and the other that of over 200 workers in pursuance of two orders under sections 144 and 144 (*c*) of the Public Security Act. I am not sure as to which order was served on Mr. Zaman and which on the workers.

Mr. AFTAB ALI: Mr Zaman was served with an order under section 144 and the workers with an order under section 144 (*c*) of the Public Security Act.

Mr. SPEAKER: That shows that two definite issues are mixed up together for the purpose of an adjournment motion

Mr. AFTAB ALI: I submit that it arises out of the same issue for the simple reason that so far as we are concerned these two executive orders were issued with a view to stopping the legitimate functioning of the trade union concerned. Mr. Zaman being an office-bearer of the Trade Union of which these workers are members, I submit both these orders point to the same issue.

Mr. SPEAKER: But my difficulty has been that the connection between Mr. Zaman and the workers is not mentioned in the adjournment motion as tabled. Another matter in which I should like to be enlightened is that, although the orders were promulgated on the 26th of July, an adjournment motion has been brought only to-day. An adjournment motion which has the effect of delaying the normal proceedings of the House should be brought forward as quickly as possible in view of its urgent public importance. The incident took place on the 26th July and the House met on the 29th July and to-day is the 5th of August; the matter should have been brought forward long before. This has not been done.

Then as regards the administrative responsibility of Government in the matter, I take it that this is an order under section 144 issued against specific person or persons by specific officer or officers under powers vested in them by statutory enactment. I should like to know what connection this particular act of an officer or officers has with the administrative responsibility or policy of the Government. An adjournment motion is in the nature of censure motion, and in view of that I would like to be satisfied that the action of the officers concerned has some connection with the policy of Government or I must be satisfied that there is an administrative responsibility of Government apart from the individual grievances involved.

The next point is whether Mr. Zaman has filed a revision petition or other application before the District Magistrate or any Judicial ...er.

Mr. AFTAB ALI: With regard to the first point, viz., the delay in ...ng this motion, I submit there were several other adjournment ...ons and I was waiting for the first opportunity to table mine. This ...e first opportunity that I have got. I further submit that in spite ...e delay, the emergent nature of the case still continues.

With regard to the second point, namely, the responsibility of Gov...ment in the matter, I fail to see how the executive Government can ...st itself of its responsibility for any action on the part of officers which do away with the ordinary rights of certain ...le and stop the legitimate functioning of a trade union which ...gistered under the Indian Trade Union Act. I have nothing more ...ld.

Mr. SPEAKER: Has any petition been filed by Mr. Zaman?

Mr. AFTAB ALI: I have no information. What I am primarily ...erned with is that by such acts the functioning of trade unions will ...me impossible.

Dr. NALINAKSHA SANYAL: Before you give your ruling, Mr. Speaker, I should like to have the opinion of the competent person on a certain point either Mr. Aftab Ali or the Home Minister or you yourself——

Mr. SPEAKER: I am not competent to give my opinion in any matter. Perhaps I am the most incompetent person to do so. (Laughter.)

Dr. NALINAKSHA SANYAL: I understand that an order under section 144 has been served on Mr. Zaman and an order under the Public Security Act on 100 workers. I think these are incidents in connection with some executive action and the executive action is one and the two incidents mentioned specifically are only two separate methods by which that executive action has been revealed. If that is so, is it not in order to say that the adjournment motion is with a view to raise one definite matter, viz., the executive action of the executive officers of that place.

The second question is whether it is a fact that till yesterday these labourers concerned were waiting upon the Hon'ble the Labour Minister and that the Labour Minister was pleased to assure them that he would withdraw the order under the Public Security Act forthwith. Since there has been no withdrawal even after that assurance, I submit, that although the incidents actually happened on the 26th July this is perhaps the first day available to them after the refusal or non-acceptance of the submission of the labourers concerned to bring forward an adjournment motion.

The Hon'ble Mr. H. S. SUHRAWARDY: First of all I desire to say that my friend Dr. Sanyal, has been misinformed with regard to certain facts. As a matter of fact, the order under the Public Security Act has been withdrawn. It was withdrawn yesterday in the afternoon. There is no matter of urgent public importance so far as that is concerned. So far as section 144 is concerned, I submit that it is really in the nature of a magisterial order after consideration of all the facts, and the aggrieved party has the right to go to the Sessions Court or the High Court under sections 435 and 439 of the Criminal Procedure Code, and he can, if the Magistrate passed the order without sufficient reason, have the order withdrawn. Moreover, this section 144 is not a matter of urgent public importance. My learned friends desire to criticise the action of the executive officers. They are perfectly at liberty to do so, but that ought not to form the subject matter for the adjournment of the House.

Rai HARENDRA NATH CHAUDHURI: I submit that previously no such distinction was observed between the action of the executive

officer and that of the executive Government. So far as that is concerned, I think the point should be decided by the precedents that have been observed in the past.

Mr. AFTAB ALI: In view of the statement by the Labour Minister that one of the orders has been withdrawn, my submission is that the gun that was double-barrelled has ceased firing from one barrel but the other is still active, namely, that the order on Mr. Zaman prohibiting him from going to his constituency and attending to certain pending cases which require his personal attention, is still in force——.

The Hon'ble Mr. H. S. SUHRAWARDY: On a point of order, Sir. My learned friend is really dealing with the merits of the case. A judicial order was passed by the Magistrate after Mr. Zaman was given an opportunity of showing cause against that order under section 144. These are all in the judgment, and I rather think that it ought not to be raised in this House.

Mr. SPEAKER: I have very carefully considered this matter. The language which Mr. Aftab Ali has used in the adjournment motion has the effect of restricting it to certain definite matters. If the language were that all these orders had the effect of gagging the trade union ... ment the position would have been quite different, and I could quite ... stand that that would affect the question of public policy. Again ... difficulty is that so far as the incident is concerned, it occurred on ... th of July. Mr. Aftab Ali says that in the intervening time there ... several other adjournment motions. I do not think there is any ... tence in any Parliamentary proceedings that simply because there ... other adjournment motions, moved, that should be a ground for ... nging another matter of urgent public importance. I hope, the ... er will realise my point of view and also realise the difficulty on ... rt in accepting an adjournment motion after 10 days of the actual ... nt. I have very carefully gone through the rulings on this point ... find that when such a matter was brought in the House of Commons ... seven days, it was ruled that the matter should have been brought ... before the House.

... second point is that in view of the statement made by the Hon'ble ... ter, half the importance of this motion is gone and the other half ... ns Mr. Zaman personally who has been served with a notice under ... n 144. In this connection also Mr. Aftab Ali has not all the ... mation at his disposal. Anyway, the motion reduces itself to this, ... that the business of the Assembly do adjourn to dis... a definite matter of urgent public importance, viz., the ... of extenament on Mr. Zaman under section 144. ... of all its verbiage it means that an order under sec... 144 on a single individual, will bring within the purview

of an adjournment motion. An adjournment motion on a single individual incident, apart from question of policy, however aggrieved the gentleman might be and however strong the case might be in his favour, can never be brought in and I feel that the normal proceedings of the House will be too frequently disturbed if it was so. I think therefore that I should not be correct as the custodian of the rights and privileges of this House if I decide that this motion is in order, particularly because the normal proceedings of the House should not be disturbed unnecessarily. Members have assembled here to discuss the general policy of the Budget and before I restrict that right and suspend that activity I must satisfy myself that this is a definite matter of such urgent public importance as the Rules and Standing Orders permit for the adjournment of the House. I have my full sympathy with him and I am sorry that a Member of this House has fallen in a circumstance of this nature. But that is another matter. Again the question of the Trade Union Movement now brought in, is not in the motion and the adjournment motion, couched as it is in its language, is not in order.

General Discussion on Budget.

Mr. PRAMATHA NATH BANERJEE: I listened with religious attention and reverent admiration to the wonderful speech read out by the Hon'ble the Finance Minister in presenting his Budget to us. Sir, I am not at this stage referring either to the method or to the manner of the presentation of that Budget. I will not refer at this stage to the financial literature which the Finance Minister has produced nor shall I refer to the choice expressions he has used. I will at this stage content myself by making my observations on the Budget itself.

Mr. Speaker, Sir, I heard Sir George Campbell giving his benedictions to the manner and the method of presenting the Budget. I do not find Sir George Campbell here in this House this afternoon—his deputy is on his chair. Therefore I am not in a position to controvert the statement made by him, but I say this, Sir, with the utmost emphasis that I can command that on a memorable occasion when Mr. Lloyd George was presenting a similar Budget on an epoch-making event, Sir Austen Chamberlain with whose name, I believe, Sir George Campbell is fully familiar, made the following observations——.

The Hon'ble Mr. H. S. SUHRAWARDY: You are reading a written statement.

Mr. PRAMATHA NATH BANERJEE: Mr. Suhrawardy will not please interrupt me. I am just reading extracts from a speech from Sir Austen Chamberlin: "He delivered in the House of Commons,

sketched the budget not for one year, but for a series of years. He sketched in general terms a legislative programme touching upon the province of every one of his colleagues——."

I believe, Sir, this phase was anticipated by my friend, the Hon'ble Minister for Labour. Sir Austen Chamberlain went further and said "this is a legislative programme of such magnitude and such complexity in itself that the question was not for one Parliament but for many more parliaments then alive and to be born——."

Mr. Speaker, Sir, in the printed speech which was handed over to us, I have made a careful analysis and the whole Budget statement is contained only in five pages. The first four relate to the Hon'ble the Finance Minister's self-congratulation about the appointment of a popular Ministry. My friend towards my left Dr. Nalinaksha Sanyal, joined issue with him on that point. I will not refer to that point at all in my speech. Let the Hon'ble Finance Minister feel the delight of self-congratulation with a little amount of self-introspection; that is wholly his personal affair. These four or five pages deal with the benediction which the Hon'ble the Finance Minister has chosen to shower upon those "national heroes the fruits of whose labour" he and his colleagues of the Treasury Benches now reap. I do not join issue with him there too.

Then in the next five pages, he gives us a resumé of the famous Meston Award and the incalculable mischief that the Meston Award ...d in this country. The next five pages deal with the Budget ... and with those figures I shall mainly concern myself leaving ... moment the richness of the Finance Minister's vision for the ... stage of my speech. The last fifteen pages of the Finance ...ter's speech deal with the various policies of what he called policies ...tional reconstruction. Mr. Speaker, Sir, let us understand for a ...nt the prime proposition before the House that the Hon'ble the ...nce Minister has presented us with a surplus Budget. The surplus ... his Budget discloses is a considerable amount of Rs. 34 lakhs. Hon'ble the Finance Minister started under auspicious circum...es, due to no merit in the Budget proposals before us, but due to ...mstances over which he could not possibly have had any control.

The Hon'ble Mr. H. S. SUHRAWARDY: No fault.

Mr. PRAMATHA NATH BANERJEE: The Hon'ble Mr. Suhrawardy makes his interjection: he is always in the habit of making ...jections from the Treasury Bench. He says that it is not the ... of the Finance Minister. I will not attribute any fault to any ...e Ministers. The Hon'ble the Finance Minister will live to hear ... the verdict of this House and the verdict of this country will be.

Mr. Speaker, as I was telling you just now, the Hon'ble the Finance Minister started under auspicious circumstances due to the Niemeyer Report. The revised Budget estimate for the year which has just gone by discloses an opening balance of Rs. 41 lakhs and due to the Niemeyer Report the present year started with an opening balance of Rs. 91 lakhs. The Hon'ble the Finance Minister has got the not inconsiderable sum of Rs. 45 lakhs out of the additional jute export duty from the Government of India. The debts which the Meston Award left as a rich legacy to this province to the extent of Rs. 850 lakhs have been wiped out and along with the wiping out of this 8½ crores have also been wiped out debt interest charges to the extent of about Rs. 24 lakhs.

The Hon'ble the Finance Minister in his speech told us that due to the control which has been given to the Government of Bengal over certain deposits the province has gained to the extent of Rs. 18 lakhs. Add to this Rs. 6 lakhs and half which the Finance Minister expects to get from the bountiful Government of India, and he has to his credit quite a substantial sum to build his Budget on.

Mr. Speaker, Sir, let me at this stage analyse the points on which the Hon'ble the Finance Minister bases his self-congratulation. The Hon'ble the Finance Minister analysed the Government of India Act and came to the conclusion that under the provisions of the Government of India Act we have acquired four powers. We have acquired the power of taxation: we have acquired the power of raising loans: we have acquired the power of devising ways and means; and we have acquired the power of appropriation. Appropriation, as is well known to everybody, is the very keynote of parliamentary finance. The Hon'ble the Finance Minister referred in his speech to appropriation in some details. In his speech he told us that he was not an accountant but a responsible popular Minister of Government which must devise means with reference to the national reconstruction of two vital principles. The first principle is the priority of numerous claims made upon his time and power. The second is the reconstruction of the social needs of the province.

I will not refer to one slight inaccuracy in figures presented by the Hon'ble Finance Minister. He is not an accountant. He says that a sum of Rs. 1,70 lakhs has been charged upon the revenues of the province. He has circulated a memorandum prepared by his department and in the red-book—I like the red colour of that book—he has given the figures under the head "Charged on the revenues of the Province." They will come to a considerable sum over the one which the Finance Minister has presented to us in his Budget. I am not a mathematician myself: I have heard a great deal from a friend on my left and from one honourable member to my front about

knowledge of arithmetic. According to my defective mathematical calculation this figure comes up to over two crores of rupees. So that over two crores of rupees this Legislative Assembly has no control.

Then, Sir, we shall consider for a moment what financial position has been disclosed in the Budget. The Hon'ble the Finance Minister in his statement has told us that this year there has been an addition of Rs. 60 lakhs on the receipt side. This additional Rs. 60 lakhs is as I said before due to fortuitous circumstances over which he had not control whatever. If you look at the figures on the receipt side you will find that we have a figure of Rs. 12,59 lakhs and the Finance Minister is prepared to spend Rs. 12,21 lakhs. Therefore he is prepared to spend 30 lakhs more than what was spent last year. And he says in his speech and in an appendix affixed to it that increases in grants made by the Government this year with reference to many departments some of which are "beneficent" according to his opinion amount to Rs. 89 lakhs. Let us for a moment consider and ponder over this figure. Last year Government spent Rs. 11,91 lakhs. This year Government are prepared to spent Rs. 12,21 lakhs.

At this stage may I once refer to the principle upon which the incidence of taxation in this country has been levied? The Hon'ble the Finance Minister as an "usherer of a new epoch" has not thought to consider the question of incidence of taxation.

The main head of revenue with which the budget deals is first of jute duty, as the red book itself shows, it covers an oscillating field the extent of Rs. 50 lakhs. Although the jute duty is yielding an me of 2·23 lakhs we may not be equally fortunate in the future.

In the 3 other items of Land Revenue, Excise and Stamp, so far as d Revenue is concerned the Hon'ble the Finance Minister says that s expecting a surplus (roughly) of Rs. 6 lakhs over the collection st year. Last year the actual collection exceeded the estimates by t Rs. 10 lakhs. This year in my humble opinion the Finance ister's expectations are somewhat of an optimistic nature. The nce Minister is relying upon the Excise revenue as one of the main es of revenue for this province. I will not dilate upon the ethical iples underlying this levy—they are "fundamental" in nature as Hon'ble Khwaja Sir Nazimuddin told us yesterday. I will not e upon those principles of life which are affected by an excise tion or excise revenue. I was reading the "Birmingham Post" morning and some ingenous writer there maintains that Mahatma dhi's proposal to abolish the excise tax must have only one effect, ely, to drive the Europeans out of this country. Let not my pean friends in this country be carried away by any fear because evenue from hemp if analysed will show us roughly about Rs. 28 s. A small sum of about Rs. 54 lakhs is consumed on account of try liquor. I believe my European friends to-day are neither fond

of hemp nor of country liquor. Time is fast approaching when due to the introduction of provincial autonomy in this country their views will assimilate themselves to our demand and instead of their party being drowned in gin and beer will help the prosperity of the country by increased consumption of hemp and country liquor.

There is the third head of revenue, namely, Stamp. On account of stamp the Hon'ble the Finance Minister is expecting a surplus revenue of Rs. 3 lakhs over last year. That again I submit most humbly is an over estimation.

(Here the member reached his time-limit.)

Mr. PRAMATHA NATH BANNERJEE: Mr. Speaker, can I have five minutes more?

(He was allowed two minutes to finish his speech.)

With reference to the expenditure side much has been said and more will be said. I have not got the time at my disposal to show that the Hon'ble Finance Minister's budget constitutes a divergence between profession and practice, that it constitutes a budget in which miscellaneous items figure in a most lurid manner. I have not the time to point out that this budget benefits nobody. The nation-building departments only consume Rs. 29 lakhs of the increased expenditure of 89 lakhs. Not only that, it will be my duty to point out at the time of the voting on grants that most of these items are being proposed to be spent in a manner not at all to the interest of the nation. To the Hon'ble the Finance Minister I have only one word to say—

"These are Thy glorious works,
Parent of good—Thine this universal frame,
Thyself how wondrous then—Unspeakable."

Mr. SPEAKER: It will be convenient if the leaders of the different groups or their whips will kindly hand over to me the names of the speakers of the different groups whom they want to address the House; otherwise, it will be difficult to give preference to anyone. If they will give me the names I will try to give them a chance of speaking.

Mr. R. M. SASSOON: Sir, I should like to warmly congratulate the Hon'ble the Finance Minister, the first business-man to hold such an appointment, upon the able manner in which he has presented the budget which is now before the House. I consider that most of the criticism that has been levelled against him is unjustified, and I also consider that it is an attempt to discredit him and the Government in the eyes of the House. Sir, I can find no reason for such criticisms; the budget is a businesslike budget, with no surprises in the way of taxation; and for this we should be grateful to the Finance Minister and it is of considerable importance to this province that we can start with a balanced budget which is so essential for the success

of the Constitution. May I, Sir, bring to the close attention of the House the remarks of the Hon'ble the Finance Minister wherein he has said that it was not within the power of the Provincial Government to adust such factors as currency or tariff which may lever up the level of internal prices.

May I go further, Sir, and point out that in bringing in artificial measures to interfere with prices, the Government would be taking grave risk, a risk which may suffer us to lose our markets, which if once lost, might never be regained. It would be fatal ever to endeavour to fix minimum prices. The jute industry is one of supreme importance to this province. The total revenue from jute alone is 2¼ crores of rupees. In case members may not have examined the budget, that, Sir, is one-fifth of the whole of the receipts of the Province. It is an essential factor that the cheap policy which has assisted us in the past should be pursued to-day. And if this factor of cheapness is foremost in our minds, we may be assured of the continuance of such large revenue. The industry to-day has to contend with all kinds of competition such as bulk handling and the use of paper bags. Our duty therefore to an industry of such importance is to foster and nurse it to the best of our ability and in this connection I should like to remind Government that they are partners to the extent of 20 per cent. of the profits of this industry without incurring any liability for losses. They will, there-
. I hope, assist us to secure cohesion. I am glad to know that there
provision of 14½ lakhs for Debt Conciliation Boards in an attempt
deal with rural indebtedness, which is probably the fundamental
tem of this province. Every section of this House will wish to
of the success of these Boards, and I hope that the Hon'ble the
nce Minister will see that they do not dry up the supply of capital
e agriculturists. I also note that provision has been made for a
erways Board, on which the communications of East Bengal may
rgely depend and I hope that the incidence of taxation will fall
ly on all classes of users of waterways. In West Bengal, Sir, we
me the Damodar Canal scheme, to which reference has been made
e speech, and on the success of this experiment rests the main
of the malaria-infested areas of Bengal now becoming derelict.
glad that the Hon'ble the Finance Minister appreciates the neces-
of husbanding the resources of the province to provide for the
ngent liability of 50 lakhs if the landlords' fee is suddenly
ced. I would suggest that if the reduction proves to be absolutely
ssary, it would be easier for the finances of the province if the
unt of the transfer fee was shaded by say two points every year
er than all at once as I understand it is possible for him to do.
conclusion, Sir, I again congratulate the Hon'ble the Finance
ister for the businesslike budget which he has put before this
se.

Mr. SURENDRA NATH BISWAS: May I rise on a point of information, Sir? In my experience in one of the old Councils I found that members of the Council had the right to reduce or reject votable demands. But, may I ask the Hon'ble the Finance Minister whether members of this House are entitled to make appropriations out of non-votable demands?

Mr. SPEAKER: I think I might make it clear that a point of order or a point of information should be asked on a point which incidentally arises out of the proceedings of the day. If there is any other point, I think it will be convenient to the members of this House as well as to myself if they will kindly see me in my chamber and discuss the matter. I have not been able clearly to catch what my friend has said, but if he will please write it out then I will try to meet his point.

Mr. SURENDRA NATH BISWAS: If you will permit me, Sir, I can make my point clear immediately now on the floor of the House.

Mr. SPEAKER: I think Mr. Biswas you had better give it to me in writing.

Mr. ABDULLA-AL MAHMOOD: May I rise on a point of information, Sir? Is not the Hon'ble the Speaker entitled to extend the time for the discussion of the budget for two or three days?

Mr. SPEAKER: No, I can only extend my time beyond 7-30 p.m. That is entirely my affair, but I cannot extend the total period already allotted for this purpose by His Excellency the Governor.

Mr. SURENDRA NATH BISWAS: May I rise on a personal explanation, Sir, as you do not seem to have understood my point of information? I simply wanted to know whether it is open to us to suggest a lesser or a greater amount of money for any item than what has already been provided in the budget?

Mr. SPEAKER: No, no, that is entirely out of order in a general discussion of the budget. You cannot now discuss any particular or specific cut. In the general discussion you must confine yourself only to the policy of the budget. As regards specific cuts on policy, they can be discussed only on cut motions.

Mr. SURENDRA NATH BISWAS: I do not want to discuss the budget but I want to know whether we have the right to indicate the ways in which the budget should be modified in accordance with the wishes of the people?

Mr. SPEAKER: As I have already said, at this stage you can only make general observations on the budget without suggesting any variations in the budget.

Maharajkumar UDAY CHAND MAHTAB: Mr. Speaker, Sir, I take this opportunity of congratulating the Hon'ble the Finance Minister on placing a surplus budget before this House. I do not think it fair or sportsmanlike to criticise a man when he first starts running a new Government, but I feel that I should say this: that much of the criticisms that have been levelled at the present popular Government is more or less due to a fault which comes from making large promises during election campaigns, and when it comes to facts and when those promises and facts are not the same, it is natural for people to be restless.

Sir, the main criticism that I propose to make is that out of a total income of 12½ crores of rupees a very small percentage only has been set aside for nation-building purposes or for rural welfare or for the actual cultivators from whom the main income of Government is derived. I would like to draw the attention of the Hon'ble the Finance Minister to the very inadequate sum which has been provided for the Damodar Canal. Many members present here are aware of the difficulties which ... present are taking place in my district due to the payment of the ... taxes and due to want of sufficient water to meet the demands of ... agriculturists, and I think that the sum which has been provided ... budget is not adequate to meet the demands. I also take this ...unity, as I find that my friend the Hon'ble Minister of Irriga... present here too, to say that the tenants and the agriculturists ... district pay over half a lakh of rupees through the Burdwan ... *Pulbandi* to Government, but the officers in charge of the Irri... Department keep the embankments in such a neglected condition ...ractically every year we have floods which lead to untold hard... and misery. I would, therefore, request the Hon'ble the Irriga... Minister to meet the demands of keeping the embankments in ... working condition. I would, also, draw the attention of the ...ble Minister to awake the Irrigation Department from their ...ers, so that they might stir out and look at the embankments ... the rains set in and not after there has been a rise in the river.

...other point that I would like to lay before the Hon'ble the ... Minister is that very little money has been provided in the ... for the prevention of diseases such as malaria, cholera, and ...ulosis. Those who have gone through statistics will find that ...ums provided are quite inadequate to meet the demands of the ...ce, and with a surplus budget I hope that more money will be ...ted in these directions.

Regarding the question of unemployment, I need not remind my honourable friend the Finance Minister that he himself in many instances has said how he has felt for the unemployed youths of Bengal, and I hope that by his action he will show that he will do something to remove the question of unemployment in this province. For until that is done, I think that the spread of further primary education would lead to further unemployment and discontent within the province.

Sir, before I resume my seat, I may say that I understand that the policy of the present Government is—if not immediately—at least, gradually, to release the detenus. If that be true, then may I not point out that the provision under the head "Police" seems rather exorbitant, because it is more or less one-fifth of the total revenue of Bengal? and if it be possible for the Government to reduce the expenditure under that head and divert the savings to other heads for improvements in the uplift of health and welfare of the cultivators I am sure they will earn the blessings of the province? Before I conclude I must say that much of the spade work of the present budget was done by the present Finance Minister's predecessor Sir John Woodhead but still I do think that we should congratulate our present Finance Minister on the budget he has presented us and I hope that he will be more consistent in his actions so that we may trust and believe the Government that what they said during their election campaign will not end in empty promises.

Mr. SYED JALALUDDIN HASHEMY: Sir, you have directed party leaders to submit names to you with a view that you may ask members to speak. May I know whether we will have to stand up every occasion to catch your eye and to sit down if it is not in order of the list submitted by party leaders?

Mr. SPEAKER: Unfortunately that is a penalty which I have to suffer from and also you have to suffer from and my difficulty is still more increased by the fact that when I expected the Whips to give me the names of the speakers in certain order I have been flooded with names of individual speakers and I have nothing to indicate what the desires of the different groups and parties are. I will ask that excepting those who have already given names the different groups will kindly give them in order of priority so that I may call them in that order. I propose to sit longer hours than 7-30 if necessary.

Mrs. HASINA MURSHED: Mr. Speaker, Sir, it was not my intention, far less my wish, to participate in the discussion of the Budget for I thought that a discussion at this stage would be useless. On second thought, however, I felt that I should make one or two observations. I have listened with great interest to the illuminating speeches of my honourable colleagues calling attention to the various

financial needs. The majority of the criticisms seems to have been focussed on the inadequacy of funds for primary education. I will neither repeat, nor add to, the arguments which have already been advanced in support of the introduction of free and compulsory primary education but I will merely place before the House certain statistics which will, I hope, argue more effectively the case we advocate.

During the year 1933-34 Madras spent one crore forty-two lakhs and 90 thousand rupees on her primary education: Bombay spent one crore 14 lakhs and 89 thousand rupees: Punjab spent 81 lakhs 3 thousand rupees: the United Provinces, with a population slightly less than that of Bengal, spent 77 lakhs and 88 thousand rupees, while Bengal with all her intellectual prowess and with a population, which is the highest of all these provinces, spent a sum of Rs. 30 lakhs and 71 thousand only. I am sure that the present Ministry is cognisant of this state of affairs and we all hope that the next budget will provide sufficient sum of money for primary education for both boys and girls.

Equally important is the problem of establishing a college and a hostel for the Muslim girls. I hope it will be possible to establish both these institutions before the next budget is presented to this House. Knowing our Chief Minister as we do, we do not for a moment doubt that there will be any lack of effort on his part to respond to wishes in this direction.

Another crying need requiring immediate attention, is the employ- of competent lady doctors to replace the male experts in midwifery Government hospitals. For, I may safely assert that 99 per cent. Muslim ladies (if not of the Indian ladies in general) would prefer it as a better alternative to being operated on by male doctors in maternity or other cases requiring surgical treatment. The remedy not in the development of the so-called modernism in our women- but in the employment of competent lady doctors recruited from abroad if necessary. I hope the Hon'ble Minister concerned will recognise this necessity by making the necessary provision on this account, in his next budget.

Before I resume my seat, may I be permitted to offer my heartiest congratulations to the Hon'ble Finance Minister on his being able to present a surplus budget this year. May I be also permitted, Sir, to point out that the Hon'ble Finance Minister in introducing the budget concluded his speech with the most significant Bengali expression "Bande Mataram." The proof of the pudding, they say, is in the eating of it. Let us hope that the Hon'ble Finance Minister will give practical proof of his patriotic sentiment which is according to Hindu conception symbolised in that word by loosening the strings of public purse in favour of our legitimate demands.

Mr. PULIN BEHARY MULLICK: Sir, we have seen from the financial statement of the Hon'ble the Finance Minister that there is a surplus in the budget and as representatives of the people it is a matter of great gratification to us. The money thus saved can well be spent on constructive work. The country, it appears, has a bright future before it. Sir, this is no doubt a great achievement on the part of the Hon'ble the Finance Minister and I feel it my duty to congratulate him.

Sir, I shall content myself with a brief discussion of the policy which should weigh with Government in dealing with problems touching an important section of the people, viz., the Scheduled Castes of Bengal, numbering about 10 millions of people, that is, one-fifth of the total population of the Province. Sir, I shall briefly indicate the broad lines on which the development of these people, whom we have the honour of representing in this House, should be undertaken. Maximum result may be obtained if we look to their vital needs and provide for them. Sir, it is well known that these people are proverbially poor and steeped in ignorance. So free primary education would be a great boon to them and in order to be effective its application must be compulsory. But it is a matter of deep regret that though this Act has long been passed, its application has yet been withheld. Sir, it should be remembered in this connection that democracy cannot function properly unless and until the electorate can take an intelligent interest in the affairs of the Legislature. This is only possible when education is widespread even in a rudimentary form. So, Sir, we demand the immediate introduction of this Act throughout the Province. Sir, as children of the soil these people have a natural right to have a share in the administration of the land. This will not only increase their status and responsibility but will also serve as an encouragement for further progress. We therefore demand that an adequate percentage should be set apart in the services under the State for our qualified men. We also demand an adequate representation on the Local Bodies. Our local needs can be tackled through these bodies and they will also provide ample opportunities for training in the art of self-government.

We also demand an adequate representation in the constitution of the universities and employment of our qualified men in the services under their control. Sufficient stipends and scholarships should also be provided for our deserving boys for education in the Province and also abroad.

Last but not the least, Sir, the landlaws of Bengal are causing great anxiety to our people. We, as raiyats, have been hard hit by their application. Sir, a drastic revision of the reactionary portions of the laws is long overdue.

I have briefly indicated the broad lines of action. It is now for the Cabinet to work out the details. We quite appreciate that the task is stupendous. The Council of Ministers can well expect reasonable time and our willing co-operation in the matter. Sir, we do not for a moment hesitate to extend our fullest support and co-operation to the present Ministry in view of the recognition of our share in the Cabinet. We believe that our support and co-operation will always be used properly and when the time comes for us to face our people, we can approach them with a clean conscience and place before them a brilliant record of service which any representative of their interests can well be proud of. With these few words, Sir, I resume my seat.

Mr. SPEAKER: I think it will be convenient if we adjourn the House now but I propose to sit at 5 o'clock again and as I have announced I will be prepared to sit up to late hours with a view to give opportunities to as many speakers as possible. I intend to select them from the different groups in the order their names have been supplied to me by the Whips. I propose to call Mr. W. C. Wordsworth immediately after adjournment and then Rai Harendra Nath Chaudhuri from the Congress and then I will go to my right and begin from one in each block, and after finishing I will take up individual speakers whom I will select.

Mr. SYED JALALUDDIN HASHEMY: Sir, considering my physical disabilities it will not be possible for me to rise on each occasion to catch your eye.

Mr. SPEAKER: I have got my fullest sympathy for Mr. Hashemy and as a result of my sympathy I can assure him that I would call him up in proper time. The House now stands adjourned for 15 minutes for prayer.

Adjournment.

(At this stage the House was adjourned for 15 minutes.)

After Adjournment.

Mr. SPEAKER: Before we proceed with the business I may announce that I have agreed, and the Hon'ble Home Minister has given his consent, to the resolution regarding the release of detenus being taken out of turn as the first item on Monday, the 9th August.

Mr. NALINAKSHA SANYAL: Sir, I rise on a point of order. Will you, Sir, kindly enlighten me whether we can obtain any further

information in connection with certain figures of the budget from any officer of the Government departments, because I have some difficulty in regard to "Interest," "Debt Services" and "Civil Works." I approached the Hon'ble Minister for Land Revenue who was functioning for the Hon'ble Finance Minister yesterday and he gave me a chit to the Assistant Secretary to get this information from him. The said Assistant Secretary was approached and he told me that he could not give me any information until the Hon'ble Finance Minister gave him a direction to do so. I would like to be enlightened on this point.

The Hon'ble Mr. NALINI RANJAN SARKER: Sir, if Dr. Sanyal wants any information, he can see me either here in my chamber or at my office in Writers' Buildings and I shall be pleased to give him all the information he requires.

Dr. NALINAKSHA SANYAL: Sir, my position exactly is whether I can get the Secretary or the Assistant Secretary to give me any information I want.

Mr. SPEAKER: In view of the fact that the Hon'ble Finance Minister takes the responsibility of giving you all the information you require, the question hardly arises for the time being; but if he cannot give you all the information you want and satisfy you, then you might bring the matter again to my notice.

Mr. W. C. WORDSWORTH: Mr. Speaker, Sir, I find myself on the unpopular side in this discussion, among the minority. I think it is a good budget, and I am going to spend my few minutes in saying so.

It has been vehemently attacked, sometimes so virulently as to suggest that the attack was not so much against the Finance Member and his budget as against Mr. Nalini Ranjan Sarker. I hope I am mistaken. But if I am right it is regrettable. For in a legislature no motives should be operative except the desire to promote the public welfare. We are engaged in criticizing a budget, and criticism, if I may be pedantic for a moment, implies a recognition of what is good and what is bad; it means discrimination, a sorting out of the good from the bad; it means judgment. And in the judging of a prisoner in the dock he is entitled to the credit of whatever can be said to his good, even if he is a Finance Minister.

To sum up the accusations against the Finance Member they amount to this, if I may use familiar imagery: that having a few dozen lakhs to distribute and four months to distribute them in, he has failed to build up the walls of the New Jerusalem, to pave its streets with gold,

to set them flowing with milk and honey. But why should we take as our criterion a distant beautiful vision about which we are not agree? How should be estimate the value of a budget? Should we not use our intelligence, remember what was a few months ago and think what conditions may be a few months hence, at the end of the year, in consequence of what we are doing now?

I would ask the House to put this question to itself. At the end of the year, if we pass this budget (and we are going to pass it with little modification in spite of all the attacks that have been made on it) will Bengal, eight or ten months from now, be better off, or worse, or much the same as it is to-day? In this budget there are hundreds of proposals, most of them small proposals, but many small streams may make a mighty river. I think that when this budget is in operation in consequence of it there will be enough work to keep all the Services busy and at the end of the few months the province will be considerably better off.

For example, we may take the numerous proposals in which the peasant is interested. Something is here for the peasant—I do not say to increase his prosperity, for prosperity is an exuberant description of the way in which India treats its peasants. But the peasant will be a little less miserable, a little less unhealthy, a little less uncomfortable than before, perhaps a little more hopeful. There is thing here for schools. There will be a few more teachers, a more pay for some teachers, in consequence there will be a little dignity and respect for them in the community. We always with respect of teachers, and treat them without respect. I have ed in education, for many years in India, and I know that there is nearly so much respect for them in practice as there is in theory. hundred ways there will be some addition to the welfare of this ince as a consequence of what we are doing now. There will be improvement in communications, a little less ignorance, a little strength, a little more confidence, hope in many directions and of kinds. There will be an increase in the social equipment that eed.

References have been made in this House this week to the undesirty of doing some of the things proposed in these books (the budget). I say a few words of my educational faith, which differs from thing said a few minutes ago. It is briefly this, that I have r been able to see how a great country can base its national omy upon ignorance, no more than I could imagine that it could its national economy upon poverty. For a nation has to be strong vigorous to do its work in the world; it must have moral health, tual health, physical health. It is the duty of education to do t it can to promote all these. At a later stage it is the duty of a

legislature to do all it can to make the people stronger, economically, financially, intellectually, physically, in every way. These are the fundamental conditions of a nation's welfare.

So it seems to me after a careful study of this budget that there is in it a great vision of our welfare as a whole. Nor should we forget this—though I am aware that there is in some quarters a desire that it should not be necessary to remember it—we should not forget, as most speakers have forgotten, that we are considering the first of a series of budgets, that it is not complete in itself, that it will be one of several, many of them of the same tenor as this. It is not a budget that has called attention to itself by loud advertisement, by the various devices of publicity that are in operation nowadays. It is a modest, quiet, businesslike, workmanlike budget, and some of us admire it greatly.

There are certain departments of public interest to which I turn as soon as I receive a budget. Education comes first. Here, on page 86 of this red-book, is a long list of contributions to the welfare of education. The Hon'ble the Finance Minister has had a difficult task. I have said that he had a few dozen lakhs to distribute and four months in which to distribute them. He had ten other Ministers to deal with, all I am sure unpleasantly importunate, from 20 to 30 departments to consider, he had to consider the needs of the various classes and categories of the people, he had to take account of the very large number of obligations that came down to him from the preceding Government, he had to set against one another a number of new schemes, judging them as fairly as he could. Will anyone say with sincerity that he has not made a good use of his opportunity?

Look at page 81, at page 96, at page 100, look at most pages of this red-book, and you will find evidence of his industry and keenness, of his fairness in distributing what he had to distribute between the many claimants, of his wide-minded consideration of all the province's needs. He has given grants, extra grants, to our two Universities and found some money for Dr. Tagore's Santiniketan. He has found grants, scholarships, equipment for a number of institutions. Those who are interested in education cannot condemn him for this. They should commend. As one interested in European education, I believe that our European and Anglo-Indian schools have been fairly treated. They have by the Government of India Act a statutory right to a certain proportion of the total educational grant. I believe that this right has been fully recognised in the estimates before us, and I offer the Finance Member the due commendation, with the reservation that this provision has to be calculated according to a formula laid down in the Act. As I have not finished my own calculations, I offer my commendation with the comment that it will be confirmed or withdrawn at a later date.

There are many things in the budget, but it is chiefly because of the things that are not in it that it has been attacked. I remember that not long ago a distinguished Indian who was acting as the Governor of his province told an audience that after studying the Government of India Act to find out what was not in it would be sensible to begin again and find out what was in it. Should we not do the same with a budget? First of all I would give credit to the Finance Member for all the things he has contrived to put in it. Then we may fairly and with decency draw his attention to certain things that are not in it. Among the resolutions of general interest on our agenda paper is one that I fear we shall not reach, calling for the full operation of the Primary Education Act, under which little has been done." I sympathize entirely with the move. Indeed I would go further than he does. I would say that the Act should be not only made operative but efficiently reformed and reconstructed, for there is a danger of the continuation of a great weakness in Bengal. For we have tens of thousands of village schools, but they are in general small, inefficient, ill-equipped, of precarious life. Unless we are careful the operation of the Primary Education Act might be only to replace those tiny, inefficient, private schools by equally tiny inefficient public schools, with no one any the better.

Others have spoken about the necessity of a Waterways Board and rk under the Waterways Act. During the past few days we have n the newspapers something that we may learn from Assam and here. In Assam they have begun to experiment with what he all grant in aid doctors in the rural areas. In the Central Pro- s they have a system of village nurses, trained to do simple things, ed by the wife of a Civil Servant, now (hall)——

Rai HARENDRA NATH CHAUDHURI: Mr. Speaker, Sir, despite imputation of motives to this side of the House under the of non-imputation of motives and despite the impatience has been shown on the other side of the few criticisms have been levelled against the budget from this side e House, I rise to condemn the budget. I am not of those who are prepared to confuse the budget speech—the ent budget speech—with the budget before us whose only teristic is exiguity and nothing else. Exiguity is writ large on If this is a budget ushering a new era, we confess, we do not stand when and how the old passed away. The previous speaker ast told us that this is the first of a series of budgets to come. Sir, we shudder to think of such a large promise from an study of the Hon'ble Finance Minister. Sir, what is this budget all? If you look at the expenditure side you will see that it is e repetition budget, a continuation of an old serial, and nothing

more. In spite of the fact that the present Finance Minister has not been able to make a new hit, he has claimed a certain distinction for his budget. What is the point of distinction? It is, as has been said, the first budget submitted by Bengal's first responsible Minister of Finance? We do not dispute the authorship of the budget or the paternity of it, Sir. What we dispute and quarrel with are the exiguous provisions that have been made in the budget. We question the allocations, the provisions, and not the authorship at all. I am quite prepared to say at the outset that our criticisms are not at all directed against the person who is filling the office of the Finance Minister at the present time. But I think we are entitled, perfectly entitled, to level criticisms against the Hon'ble Finance Minister as such when he is presenting these unfortunate budget demands.

Sir, it has seldom been the lot of this Legislature—and I have spent almost the best part of my life in this Legislature—to be presented with such an insignificant budget with such an extravagant speech. However as the Hon'ble the Finance Minister has claimed that it is the first budget of the first responsible Finance Minister of Bengal, may I ask him to state in precise terms in what respects this budget differs from those of his predecessors in office? In what outstanding features this budget is a budget which could not have been conceived either by Sir John Kerr, or Sir James Donald, Mr. Marr or Sir John Woodhead? No, Sir, it is a bureaucratic budget in the grain however veneered it may be with sanctimonious theories.

Sir, in one respect I admit the present Finance Minister differs from his predecessors and that in his good fortune. The Meston Settlement to-day stands unsettled,—an unsettlement to which every Finance Member from Sir John Kerr downward looked forward not only for the expansion of our receipts but also for the expansion of expenditure on the nation-building departments. The present Finance Minister is going to collect 2·23 crores more, almost one-sixth of the total receipts of Bengal, not as a windfall but as a statutory grant. Then, Sir, he looks forward to a share of the income-tax, Trade having recovered, he expects better receipts under almost all the major heads of revenue. Under head "Excise" he expects Rs. 3 lakhs better, probably in the name of Mahatma Gandhi. He expects also better receipts under the motorvehicle tax as also under all the other new heads of taxation. Yet, we are very sorry to say, there is no inclination on his part to share his good fortune with the people of the province. No one knows better than the Hon'ble the Finance Minister that Bengal in her worse financial days suffered the imposition of more than one new tax. Yet, Sir, there is no hope of any diminution of the burden of the people. On the contrary, the Finance Minister has been pleased to suggest more than once in his speech that the

quintet of new taxes imposed in 1935 are due for renewal. So we must be prepared for another raid even on the poor man's tobacco. I must refer also to the starvation of the nation-building departments. And what a tremendous and appalling starvation it has been in spite of the showers of approbations that were annually poured on the framers of the budget by the co-operating members on the other side of the House! Let me cite certain figures, very tale-telling figures indeed. I am comparing the budget of 1921-22 with that of 1929-30 and that of 1929-30 with that of 1937-38. I am showing the progress of expenditure under some of the main heads of expenditure only. Let me first of all take, Sir, "General Administration". It will be seen that in 1921-22, Rs. 1,12 lakhs was allotted to General Administration and if the General Administration expenditure was up by Rs. 24 lakhs between 1921-22 and 1929-30 (because it covered as much as Rs. 1,36 lakhs in 1929-30) there was a further progress of Rs. 16,24,000 between 1930 and 1937-38. On the whole there has been a steady increase under "General Administration" of more than 40 and odd lakhs of rupees.

Now take up Police. In 1921-22 Rs. 1,90 lakhs was budgeted under "Police." The Police expenditure was up by Rs. 22,67,000 between 1921-22 and 1929-30. It was then again up by 14·95 lakhs between 1929-30 and 1937-38. On the whole Police gained by more than 37 lakhs in these 16 years. Under the head "Administration of Justice"—another big head of expenditure—the expenditure was 104 lakhs in 1921-22, and this year again it is about 104 lakhs, i.e., the expenditure remains almost the same. Expenditure under none of these spending departments was ever substantially down. Let us now turn to another chapter of the budget and come to Education, Medical, and Public Health. Under "Education" 1 crore 26 lakhs was budgeted in the year 1921-22. Education was up by 19 lakhs by the next 8 years; it reached the figure of 1 crore 45 lakhs in 1929-30; but in the following years it was down by 7 lakhs—I will not say 7 lakhs, it was down by 11,65,000, if we deduct "expenditure in England." Then, Sir, take up expenditure under head "Medical." It was 54·65 lakhs in 1921-22; it went up by little over 4 lakhs by 1929-30; but after 1929-30 it was down by 4½ if not by 6½ lakhs It it was 54 65 lakhs in 1921-22, 54·45 also has been budgeted in the blessed year of 1937-38. Let us take Medical and Public Health together. 74·11 lakhs was the expenditure budgeted for them in 1921-22; it was 97 lakhs in 1929-30, but it is now 88·43 this year. On the whole, Sir, we see that through fair weather or foul, under General Administration, Police, if not Administration of Justice, under all these departments involving the machinery of administration there has been a steady increase of expenditure; while on the other hand Education, Medical and Public Health, if they were up by a few lakhs in the first 8 years,

they have been down again by a good few lakhs in the second eight years. In a nut-shell the position is, that when the total receipts of the province were 10·34 lakhs, the budget under "Education" covered 12·19 per cent. of the whole revenue; but, now, Sir, when we are in possession of a revenue of about 12½ crores, the Education budget covers only 10·97 per cent., and of all persons Mr. Wordsworth comes forward to congratulate the Hon'ble the Finance Minister on this budget! Mr. Wordsworth is also satisfied with the special grant for European Education, well and good; but is Mr. Wordsworth aware that the budget expenditure on European Education in 1921-22 was 13·98 lakhs while European Education this year has got 11·02 lakhs only? Surely that is a further justification for Mr. Wordsworth's congratulating the Finance Minister! Turning to head "Medical" we see the expenditure budgeted was 5·28 per cent. of the total revenue in 1921-22; now in 1937-38 it covers only 4·34 per cent. of the total revenue. This, Sir, is the sum of the progress attained by the nation-building departments during all these sixteen years, all in the name of nation-building of course and in the sacred name of "progressive realization of responsible Government" too.

But our greatest grievance against the Hon'ble Finance Minister, Sir, is that in presenting this Budget he has forgotten his own Guru; I am referring to the memorable speech of the late Deshbandhu Chittaranjan Das made on the very last day of the budget discussion in 1924. Here is what I may say his last testament. In reply to the charge that he was the high priest of destruction he said: "Sir, I put a constructive suggestion before the Government for the last time. Borrow 5 crores at 6 per cent. interest and arrange for a sinking-fund at 2½ per cent. With 5 crores for nation-building purposes you can do a great deal. Spend 1 crore on primary education, spend 30 lakhs on special Muhammadan Education spend 30 lakhs ——".

(At this stage the member reached the time-limit but was allowed two minutes more to finish.)

His proposal was considered by an Indian member of the Executive Council of the then Government as nothing better than a request for Aladin's lamp, but the then Finance Member, the Hon'ble Mr. Donald, did not take such a stupid view of the proposal. He said that the proposal involved a recurring expenditure of 40 lakhs in loan service and where was he to get that money from? The very next year our present Finance Minister—I mean the Hon'ble Mr. Nalini Ranjan Sarker—himself adopted this proposal as his own, and he showed that it was not a question of 40 lakhs of rupees but a question of 30 lakhs per annum, and he was confident that these 30 lakhs could be obtained by way of retrenchment even in the days of deficit budget. But alas, what he proposed in the days of

deficit budget he cannot now contemplate in the days of surplus! (Cries of "Shame" from the Congress benches.) As I have said, Sir, our greatest grievance against the Hon'ble Finance Minister is that he has forgotten his own Guru, and in forgetting his own Guru he has also forgotten himself.

Then, Sir, there was an observation from the Treasury Bench the other day made by the Hon'ble Mr. Fazl-ul Huq requesting our co-operation, but in reply to his request for co-operation we can only quote two sentences from the late Deshbandhu's speech: "We are not prepared to co-operate where our rights are disregarded and when our finances are played with in the manner it has been done for the last 160 years." And, Sir, we cannot improve on this statement.

Khan Bahadur JALALUDDIN AHMAD: Mr. Speaker, Sir, I rise to say a few words on the budget and the speech of the Hon'ble Finance Minister.

Mr. SPEAKER: One minute, Khan Bahadur, if you will pardon me. I am now going to make it a rule that in view of so many members wishing to speak and in view of the very short time remaining, 10 minutes should be allowed to each speaker, and I hope that the front benches will have a little mercy on the back-benchers and will, therefore, not ask for the usual "two minutes more".

Khan Bahadur JALALUDDIN AHMAD: Sir, before I say a few words on the Budget and the speech of the Hon'ble the Finance Minister I want to bring to the notice of the Assembly, and particularly of the Speaker, our difficulty in contributing to the discussion of the budget as we would like. The rule allows a discussion on the budget as a whole or on any question of principle involved therein. It is very difficult for members, particularly for those who are new to the legislature, unlike the last speaker, a veteran of the old Council, to comment effectively or usefully or to offer helpful criticism as has been invited by the Hon'ble Finance Minister. It is this fact, Sir, which restrained me from getting up on the first day, and there I believe, were many of my friends who hesitated to discuss the budget as a whole on that ground. As a matter of fact, the budget was presented on the 29th of July and discussion thereon was invited on the 2nd of August, i.e., after an interval of only three days. I think the Hon'ble the Finance Minister and many members who have been on the District Boards or had been chairmen, thereof know that under model rules framed by the Government of Bengal 15 days' clear notice is to be given before discussion on the budget is initiated. I do not know, Sir, who is responsible for the practice that the budget is not to be circulated even when the Finance Minister would be presenting the budget by his budget speech. Therefore, fully agree with a member on the Congress Bench when he

was finding fault with that speech and asking for a ruling from the Speaker whether the Finance Minister was right in referring to the pages of the budget without having previously put it in the hands of the members. I have seen the rule on the point. The rule only says that His Excellency the Governor fixes a date for the presentation of the budget and also fixes a date for discussion thereof. But with regard to the circulation of the budget it is not the duty of His Excellency the Governor, nor is it within his individual discretion, to lay down any rule. So, I think the Hon'ble the Finance Minister can accommodate the members of this Assembly in this respect. If he wants helpful criticism, he should circulate the budget and his speech at least 15 days before the budget is actually presented, just according to the rules that govern the District Boards in this respect. I have had the advantage of a discussion with the Hon'ble the Finance Minister and he is agreeable to do so. Therefore, I bring it to the notice of the Speaker if he can thus help members of this Assembly in studying the budget properly. Without a careful study of the budget it is no use offering comments wide of the mark and to say that the budget ought to be condemned and that the principles of the budget-making have not been followed. It is true (I have some experience of budget-making) that it is easy for the framer of the budget to deceive the members if so inclined. It is also easy for members to make sweeping comments saying that the budget does not satisfy the demands of the people. So far as the Hon'ble the Finance Minister is concerned, as he has said in his speech, he has prepared the budget only in the course of two months. He has taken the wind out of the sails of his critics by saying that the budget almost follows the revised estimates for 1936-37. The Hon'ble the Finance Minister has not therefore claimed any ingenuity or any originality in framing his budget. So, it will not be proper for us to say that the Finance Minister (the first responsible Finance Minister in an autonomous Bengal) has not been able to present a budget which will show wonders. After all, he is a human being, and it is no fault, if he has not been able to do what any other human being would not have been able to do in the course of only two months. Then, again, he has not been able to frame the budget entirely on his own initiative. He has had to accommodate the commitments of the last legislature; he has also got to accommodate the existing establishment according to old actuals. So long as the verdict of this Assembly is not found otherwise, he is in duty bound to accommodate all the charges—either charged or uncharged—as long as the Establishment is not done away with. I, therefore, cannot persuade myself to see how the Finance Minister is responsible for the excess grant to the Police or in directions which have not been very beneficent to the country. I am however afraid he has drawn comments on himself by his own choice.

His prologue (if I may call it so) has drawn unnecessary comments from the Congress bench to which he once belonged. Comments have

probably been due to his reference or eulogy to the Congress ideal and his tribute to the memory of distinguished patriots and illustrious names of the Congress in his introduction or Prologue. Criticism of the Congress group has been provoked, I think, owing to the fact that the Congress members regard those names to be monopoly of Congressites to the exclusion of others. The fact that Hon'ble Minister of Finance has come away from the Congress and has taken a seat opposite to the Congress group on the Treasury Bench has also contributed to "the fusillade of criticism" (in the Minister's own words) of his budget as he used to make against the budget of last Governments when in the Congress Group. It may also be due to their intolerance of his taking share in the Government of the country against the wishes of the Congress.

I am saying this without any disrespect to the opposition bench. As a matter of fact the administration of a country cannot be kept right without opposition. If there is a prologue in his speech provoking comments of the Congress there is also an epilogue, namely, "Bande Mataram" which has provoked some comments from a respectable lady member of this House. She has twitted it by calling it a significant Bengali expression and saying that the "taste of pudding is in the eating." She therefore expressed the hope that the Hon'ble Finance Minister will give practical proof of his patriotic sentiment symbolising ... expression. This epilogue has also provoked subdued comments ... many a Muslim member on this side of the House This epilogue ...unfortunately objectionable from Islamic point of view. In an ...al document, namely, budget speech of the Finance Minister the ...erty of all communities under the Government, the use of a ques...able expression of a particular community seems to be out of sort ...creates a bad precedent.

There are persons to whom this expression means a sectional or ...munal rather than a national anthem. Sir, when I refer to this ...gue I am reminded of the existence of Ulema group in this Assembly ...hose behalf the Hon'ble Member congratulated the Speaker on his ...ion. To this group this expression is intolerable. Again consider ... would happen if a Mussalman Finance Minister next time in his ...get speech uses the expression "Allah-Ho-Akbar" however good ...ight be in itself. The Hon'ble Finance Minister will please excuse ...f I have pointed this out to him not in anger but in sincere spirit. ...pe, he will take it in the spirit in which it has been given.

Then, Sir, with regard to the enunciation of the principles on which ...udget should be based, I should say that the budget speech is marked ... distinctive feature that it has made the Budget easily understand... to members. But I should also say, had he not enunciated ...iples in his speech, there would have been less comments because Opposition bench or the other groups have sought to catch him upon

his own principles. And I hope he will excuse me likewise if on his own principles I comment a little on his speech now. He has laid down the principle that there are urgent problems in the country for which

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(At this stage the member, having reached the time-limit, resumed his seat.)

Maulvi TAMIZUDDIN KHAN: Mr. Speaker, Sir, the Hon'ble Mr. Nalini Ranjan Sarker has been greeted with condemnation as well as praise by the members of the House who have hitherto spoken. I for myself do not see any reason why he should not be congratulated. We can certainly congratulate him on his good fortune and the high privilege he has had of being in a position to present the first budget of autonomous Bengal. Not only that, Sir. He has also had the good fortune of being able to present a surplus budget. Of course, how much of the credit of the budget being a surplus one is due to his own efforts is a different matter, but, certainly, he is to be congratulated on his good fortune. We all know, Sir, that his illustrious predessor, Sir John Woodhead during the closing hours of his official career as Bengal's last Finance Member under the old regime was groping in utter darkness in his attempts to balance the budget. If we remember that we certainly feel that it is a matter of great gratification not only on the part of the Hon'ble Minister but also on the part of the whole of Bengal that we have begun with a surplus budget. Sir, he has been adversely criticised mostly because he has treated us with certain theories. I fully agree with Khan Bahadur Jalaluddin Ahmad when he said that the Hon'ble Minister would have met with less criticism had he not indulged in those general theories. His indulgence in these dissertations has given the idea that he is still anxious to play with theories. One would have thought that the days of his courtship were over and that it was now time for him to assume the responsibilities of parenthood. It is therefore not surprising that many of us felt disgusted at his awkward advances to his old love Miss Theory. But he has probably propounded these theories for the benefit of the new members of this House. Many of us are new to this Legislature and we have been given a very good parliamentary treat. However, Sir, as regards the condemnation he has received, I think that most of this is due to the return of the Congress to this Assembly. Bengal is no longer the Ministers' paradise that it was during the last regime, particularly during the last seven years of the old regime on account of the absence of the Congress. Sir, we welcome the return of the Congress to this Assembly. They will no doubt be in the opposition and they form a very formidable and powerful opposition, but to my mind the presence of a well-organised and powerful opposition should always be a source of strength to the Administration. In this view,

Sir, I think that the Hon'ble Mr. Nalini Ranjan Sarker, or for the matter of that his other colleagues,—the redoubtable eleven of the Hon'ble Mr. Fazlul Huq, should learn to receive the thrusts from the Congress in a sporting spirit.

Sir, there are so many things that call for comment that I can hardly make up my mind to choose between them because you have just now ruled that we should have only ten minutes each and I do not disagree with your ruling because there are so many intending speakers and there is so little time. The most important thing that naturally comes to my mind is the claim of primary education. The Hon'ble Minister should take note of the universal demand that has been made on the floor of this House for primary education. Some of the previous speakers have given very helpful suggestions as to how money may be found by resorting to economy measures in certain directions. I think those suggestions will be carefully considered by Government but to my mind, Sir, if we mean to face realities I feel certain that by means of these measures of economy it will not be possible to make primary education free and compulsory. We may save a few lakhs but we should remember the implications of the demand for free and compulsory primary education: it is a question of crores and not of lakhs. If we are really anxious to have free and compulsory education, as I hope we all are, we must resort to either borrowing or new taxation. The Rural Primary Education Act provides for such taxation. The Government have not been courageous enough till now to enforce all the provisions of that Act. The principal objection against enforcing that Act was that we were in the midst of a terrible depression. Now, Sir, the Hon'ble Mr. Nalini Ranjan Sarker has admitted in his speech that we are at last out of the trough of the depression. Therefore there can be no reason now to hesitate to enforce the provisions of the Act. So far as Rural Bengal is concerned, so far as the members of this Assembly who represent tenants are concerned, there is a universal demand that the Act should be enforced. Let primary education be made free and compulsory without taxing the poor if that is possible that was what Mr. Fazlul Huq promised to do but if that is not possible we are all prepared to pay the tax provided by the Act; we won't wait a day longer and see Government procrastinating as it was doing under the old regime and coming before us with illusory measures and putting off the introduction of free and compulsory primary education.

Now, Sir, there are certain other things. I am glad that Khaitan, whom I do not see in this House just now, referred the other day in his speech to the problem of tuberculosis. That is a very serious problem in this Province. Members of this House probably do not know that as many as one lakh people die every year of tuberculosis and there are no less than one million sufferers. Now, it is certainly

the interest of every one, every true son of Bengal, to see that adequate steps are taken to fight this scourge. But hitherto, I am sorry to say, Government has not been able to do anything at all in this direction. Now, the direction in which Government can make efforts to fight this malady is the adoption of adequate curative and preventive measures. First of all as far as curative measures are concerned if we compare the efforts that are being made in Bengal, we see that here we have got only 284 beds in sanatoria whereas in England, which is of about the same size, there are about 28 thousand beds. Again as regards preventive efforts—

(Here the speaker, having reached the time-limit resumed his seat.)

Maulvi Md. MOZAMMEL HUQ: (The speaker began addressing in Bengali. At the outset he was speaking about the Bengali translation of the word "Mr. Speaker" and was giving a dissertation on the Bengali synonym for "Speaker" when he was stopped by the Speaker.)

Mr. SPEAKER: Order, order. This literary discussion is wholly out of place in this House. I would request Maulvi Mosammel Huq to resist the temptation of a discussion which may well be made in a Sahitya Parishad. If he wants to speak at all he may go on with the subject under discussion.

(When Maulvi Md. Mozammel Huq again attempted to define the meaning of "Speaker" and described it with what he thought to be its Bengali equivalent he was stopped by the Speaker.)

Mr. SPEAKER: Order, order. This is not a place for either jokes or any discussion which should not done in a serious mood. I am perfectly certain that Mr. Mozammel Huq is not doing it in the spirit in which he should carry out his functions. I would request him to avoid this and confine his remarks to the budget.

Maulvi Md. MOZAMMEL HUQ: continued speaking in Bengali.

Khan Bahadur MOHAMMED ALI: Mr. Speaker, Sir, we have just crossed the threshold of a new era in the constitutional history of India and for the first time in the annals of Bengal a popular representative of this House has presented our budget. It augurs well for this Province that we have a surplus of about 40 lakhs but unfortunately in spite of such a sound financial position the budget is conspicuous by the absence of any special allotment for nation-building departments as might have been expected of an autonomous and progressive Government. The allotment of a lakh and half for the construction of an

agricultural institute at Daulatpur is laudable but the country would have appreciated a more substantial provision for free primary education about which we heard so much before and during the elections.

Sir, of all the Ministrant functions of the State the fight with ignorance and poverty, disease and death, and the upliftment of the condition of the masses are now regarded in every clime and country as the most imperative. We do not find any noticeable measure for either spreading the light of knowledge or in reducing to any appreciable extent the havoc and misery caused by malaria, famine and poverty. It is indeed a pity that the Government has not considered the desirability of substantially increasing the "per capita" expenditure on education of their people. If this niggardly expenditure on education is maintained, what hope have we for the salvation of that great mass of agriculturists that form 85 per cent. of the population of this Province. The additional grants for secondary education might well have been allotted for the spread of primary education in rural areas.

An appalling disparity of national expenditure on education between some of the civilised countries of the world and India and the wide divergence of the figures of literacy with these countries lead us irresistably to the conclusion that this great nation-building department is being sadly neglected.

The inauguration of the new reforms has ushered in a new regime . the eyes of the whole of Bengal is hopefully focussed to-day on House. But I must admit, Sir, that many of us are greatly disointed in not finding any noticeable reflection of that great and entous change which took place at zero hour of March the 31st is memorable year.

here is no reduction, Sir, in the heavy cost of administration and gh there has been an increase in receipts, thanks to special effort r John Anderson, no hope has been held out about the repeal of obacco tax. This obnoxious tax which nets 3½ lakhs effects those le who are least able to pay. It is a case of the last straw that ks the camel's back. After a strenuous day in the field the poor vators have only one comfort to look forward to and even that is g pushed beyond their means by the imposition of this tax. Denied ey are to a satisfactory meal and open as they are to the ravages of weather they fain make attempts to find solace in the soothing ence of Dame Nicotine but even that satisfaction is being made difficult to obtain.

ask you, Sir, in all seriousness what is a surplus budget worth, t value can you set upon it when the vast bulk of our agricultural munity are sunk in the most abject poverty, living from hand to h, leading a precarious existence, unable to bear the stress of hard s and are decimated in thousands and hundreds of thousands in

seasons of famine by pestilence and starvation. What hope does this budget hold out to whom? I submit, Sir, the cravings of hunger must first be appeased before any other matter can claim attention.

The Police is taking a heavy slice off our Revenues and we would have welcomed a reduction under this head. I make bold to think, Sir, that with the improvement in the lot of the masses the need for more Police work is bound to diminish. Efforts should have been made to cut down expenditure under this head and allotted for measures to remove illiteracy or for upliftment of rural areas. I assert with all the emphasis at my command that with the dessimination of knowledge crime will of itself decrease. A bold experiment of this nature is what we expect of a progressive Government.

Sir, we realise the difficulties which the present Cabinet had to face in framing the budget within such a short time at their disposal and have therefore not been able to devote their attention to the pressing needs of the country which, as soon as they settle down, they will probably take up. We have our representatives in the Cabinet of whom great things are expected and on whom we have every confidence and faith. So we tarry in patience hopefully and confidently expecting a fulfilment of all our desires and demands in no distant future. Amen!

Mr. SYED JALALUDDIN HASHEMY: Mr. Speaker, I do not feel very much encouraged to speak at the tag end of the debate particularly in the absence of the gallant and noble Leader of the Opposition, the Deputy Secretary and others, more particularly the members from the municipalities of the Presidency Division.

Sir, I felt very much encouraged to see my friend Dr. Sanyal to initiate the debate on the first day of this budget discussion and I hoped and very reasonably hoped to get a lesson from him who is well versed in matters of finance and economy not only of this poor country of ours but of all countries of prosperity and peace. Sir, Dr. Sanyal criticised the budget which has been presented by the Hon'ble the Finance Minister. I for myself must confess that I have neither the ability nor experience to review the budget of a provincial Government critically. As a patient and inquisitive student of Economics I ought to have a lesson from Dr. Sanyal but to my utter disappointment and chagrin I found that his speech was a sort of a school master's harangue. Instead of giving us substance he gave us rotten eggs. Sir, I expected from him a critical estimate of the budget so far as it concerns the primary needs of the country. Honest criticism of a budget is always welcome—criticism from a motive of national reconstruction. But I must say that his speech was full of personal pinpricks and personal jealousies.

Again, Sir, I wanted more information from the Leaders of the Opposition, but to my utter surprise I have found none. Of ideals they preach, of ideals they say. But, Sir, it will not be out of place if I mention something about the administration of the Calcutta Corporation, the premier self-governing institution of Bengal, nay India. I find to my great joy that the ex-Mayor—the ex-Congress-Mayor, is sitting just to my opposite. He will bear me out when I say that the revenue of the Calcutta Corporation which may be little less than half—

A voice: Is the honourable member criticising the Corporation budget?

Mr. SYED JALALUDDIN HASHEMY: I am developing my argument and am coming to my point. It may be little less than half of the revenue of the provincial Government, and it may be I do not know exactly, more than the revenue of some of the provincial Governments of India. Sir, I was a member of the Budget Committee of the Corporation last year. But to my utter surprise I did not find the ideals, the Congress ideals, which Dr. Sanyal preached here. I was surprised to find that they have not provided for the amelioration of the condition of the poor people of Calcutta. Though after the Harijan movement of Mahatma Gandhi an assurance was given by the Calcutta Corporation and resolutions were passed but nothing was done, simply for the reason, I say, that the administration of the Corporation is the administration of the Congress and it runs unfettered and unhampered by any opposition because they have got a majority there; they have got a clear majority. The condition of the harijans and other poor employees of the Calcutta Corporation has not yet been improved. But the top-heavy administration is still going on there as it was before—

A voice: Sir, he is still indulging in the criticisms of the Corporation budget.

Mr. SPEAKER: I understand your point. But I am afraid, if a member wants to criticise another group in this House on the ground that the administration of that group with reference to a particular body is open to the same criticism as that they are making on the budget to-day I cannot rule it out.

Mr. SYED JALALUDDIN HASHEMY: Sir, I leave that point. Assuming for a moment that Dr. Sanyal is there with the portfolio of Finance, how glad I would have been if the Congress could have formed a majority here and could have formed a Congress Cabinet and

carried on like the other six provinces of India. But it is not possible here for want of proper leadership. For want of proper leadership and proper handling of things they have failed in Bengal. I will not speak of the Calcutta Corporation. But I think I shall not be out of order if I say by way of reference to the resolutions passed on the declaration of rights in the Karachi Congress. May I ask the honourable Leader of the Opposition how far they have been able to give effect to that declaration? I ask how much—what amount—has been set apart for mass-contact and for labour improvement. My friend Mr. Niharendu Dutta Mazumdar is there and he will bear me out when I say that the relation between the Congress and the labour and agriculturists is not such as it should be. The Congress is trying to dominate labour in their own way. But that is not my point and I confess that it is beside the point. My point is that my friends on the opposite are labouring under a misapprehension that by the Government of India Act of 1935 or the Communal Award, Bengal would be turned into a Muslim raj. When I went through the figures of the budget I searched to find whether any fabulous figure has been set apart for a particular community or communities for safeguarding their interests. But to my utter surprise I find no such figure in the budget. And I am now convinced that it is neither a Muslim raj nor a Hindu raj but it is the same undiluted British raj. I can assure Mr. Wordsworth, who is unfortunately not in the Chamber and who spoke in utter despair that his community was in a hopeless minority, that they are not in a minority: they are in a majority and they will rule this House as they are doing outside. To my friend Dr. Sanyal I may say that he has made a confusion of issues. Probably while criticising the Finance Minister he was thinking of free Bengal and free I. E. but he forgets that India is still governed by the Government of India Act, 1935—

(At this stage the member having reached time limit, resumed his seat.)

Mr. AFTAB ALI: Sir, I will discuss the budget from the point of view of labour. I am sorry that I do not see the Minister for Labour, he is not in the Treasury Bench.

In the speech delivered by the Hon'ble the Finance Minister, I came across a figure of Rs. 28,000 that has been provided for the constitution of the Labour Department, the utility of which, as he says, the House will appreciate. But we on the Labour side, want to tell him in very plain words that we do not appreciate it. At the same time we offer no apology for it. In our view, it is not only a reactionary budget, it is not only the same old budget repeating the old master's voice tune, but it is almost a deception—it is more than reactionary. It has been presented to us with honey-coated words so

that it may be accepted as it stands. But I can tell you that it is not so. We have heard from the different sides of this House and we have just heard from a peasant member what he had to say about it. So far as Labour is concerned, we find that on the whole Rs. 28,000 has been provided for it. We find also that out of this Rs. 28,000 Rs. 17,950 has been provided for the reorganization of the Labour Department and a sum of Rs. 10,000 has been provided for welfare purpose. May I ask if it is proper that in order to spend Rs. 10,000 for helping the labour a sum of Rs. 17,950 is required: And what is this welfare work, may I ask? I fail to understand any talk of welfare work without welfare legislation. If the Cabinet means—if the Finance Minister means what he says—then where is the welfare legislation? Where is the social legislation? What is the meaning of welfare work without social legislation? In our view, if the Minister for Finance and his colleagues in the Cabinet really wanted to do anything for Labour they would have provided more money and not the paltry sum of Rs. 10,000. We have heard congratulations after congratulations and I would not have been surprised if I saw flowers brought here for showering, and we would have joined in giving flowers if it had been sent to its funeral into the Ganges near by. As regards this Rs. 10,000 for welfare work, our apprehension is that it is just meant to befool the members of this House. spend Rs. 10,000 for labour welfare work you need Rs. 17,950 for reorganisation of the Labour Department. Now, Sir, I want to from the Labour Minister what is behind all this. He is actually Commerce Minister—Labour Minister is only a misnomer. We the Labour side strongly object to his calling himself Labour ister alone. We do not mind his being called Minister for merce and Labour, but we do object to his being called Minister Labour.

Then, Sir, we come across the line that a Welfare Officer will be inted along with other officers. But with what end in view? e is no welfare legislation, there is no social legislation, there is legislation which would give the workers insurance benefit either ickness or for death or for unemployment. This Labour Depart-t, it is our view, is being organised to weaken, if not to break, organised labour movement of this province. Who does not know— will pretend to play the part of an innocent babe and say that he past various methods had not been used to stop the growth of our in this Province? Who will deny that on previous occasions bogey of communism was not repeatedly raised to break the various ur organisations? What is this new move "in the name of lfare?" Are we to understand that now in this new name of lfare," there are going to be more attempts to crush the labour? t is our real fear. We do not mind Rs. 10,000 or more, but if

there is any money to be provided for in the name of welfare work, that money must be spent by constituting a Welfare Committee in which we from the Labour Side demand adequate representation, so that we may know that whether it helps Labour or not. At least we shall be able to see that the money is not spent against organized labour. Sir, I will not take more time. Because I cannot speak for long, and I can neither reach the bell nor can the bell reach me!

Sir, the Hon'ble the Finance Minister has thought it fit to give us a warning in his budget speech as if we were so many school children. He has said: "But may I sound a note of warning here against the evil of creating disaffection amongst the labourers and making them resort to strikes on slender grounds?" Since, Sir, the Hon'ble the Finance Minister has thought it fit to sound this note of warning, I think I should be failing in my duty towards the organized Labour of this province, if I, too, on my part, did not give him a counter-warning and say that if Labour is going to be neglected, as it has been neglected all these years, we will see that this Government and Cabinet come to an end. (Cries of "Hear, hear," from the Congress benches.) And I make myself bold to say that this counter-warning will overcome the warning that we have got from the Finance Minister. I reserve further comments on the budget on motions that we will bring up on the various items in the budget, and would, for the present, sit down with one observation. I find that here are present members representing the peasants and landless workers, who are anxious for primary education, but the Cabinet says "Give us time; we are doing this; we are doing that." I consider, Sir, that I owe it to myself and other members here to sound a note of friendly advice—if not of warning—that if this budget is passed, as it is presented now, you will then be told, "Give us money" as you are being told now "Give us time," and because they know that the giving of money will be over with the passing of budget, then, gentlemen, you remain where you are.

Miss MIRA DUTTA GUPTA: Mr. Speaker, Sir during the last three days, members have spoken and expressed their view on different aspects of the estimate and in order that I may not tire the patience of the house I propose to invite your attention to one or two principal heads only.

When I sat down to look in the Budget, my first impulse was to see the provision made therein for female education but to my disappointment I found that the proposed expenditure for female education has not been separately shown. It is evidently merged in the bigger estimates for colleges, secondary schools and primary schools. Higher education of women on modern lines is of recent development in this country and the people are evincing a keen desire for its rapid growth

and expansion. It is not possible, however on a perusal of the present budget to judge whether Government is keeping pace with this desire of the people for the extension and expansion of University education amongst our sisters. During the last few years numerous girls' schools for secondary education have come into existence in the province, many of whom have been anxiously waiting for assistance from the Government.

With the advent of the new Government they had been hoping that their expectation would now be fulfilled. But from the Explanatory Memorandum on the Budget (page 85), I find that an annual grant-in-aid of Rs. 600 to the Uma Girls' High School at Noakhali is the only new grant to girls' school proposed in the Budget. This is really very disappointing. A girls' school is a costly affair and private resources can hardly meet all the costs of a secondary school for girls. Many of these institutions are to my knowledge suffering from great financial difficulty. We should have expected that the Hon'ble Chief Minister in charge of Education would show more generosity in his attitude towards the education of our women folk. On page 84 of the Explanatory Memorandum I find that a sum of Rs. 360 is provided for the creation of a post of an additional teacher at the Muslim Female Training School. Is it seriously suggested that a teacher drawing a mere pittance of Rs. 30 per month is to train up Muslim Female teachers? When will Government appreciate the necessity of giving adequate emoluments those who are charged with the most responsible duty of training up ung men and women?

The total estimate for Government Art Colleges amounts to Rs. 16 s and four thousand whereas only Rs. 2 lakhs 88 thousand and undred have been provided for grants to non-Government Arts eges. Of the barely 3 lakhs for non-Government colleges more than go to the few Missionary colleges in the province. The expenditure overnment Art Colleges has always been characterised in this try as being rather lavish and it seems to me that the time has come he Government and the Legislature to consider seriously if tion should not be deprovincialised and unofficialised and the y thus realised distributed amongst the different educational institu- in the country. Government schools and colleges have served their se as models in the early days, but there is no reason why all es and schools should not have an equal claim on the public purse.

day the education of the province is mainly carried on by private es and schools. And the tragedy of the whole thing is that they suffer from want of funds. The few Government institutions, obably in each district, may safely be transferred to the manage- of the public without much detriment to the interests of education. he ministry consult public opinion, specially the opinion of those sted in education on this important matter?

The time at my disposal will not enable me to go into any further details. But before I leave the item of education I would like to draw the attention of the Government to the great difficulties experienced by the Hindu and Moslem public due to the want of sufficient accommodation for girl students, specially in Calcutta. The facility for higher education in Calcutta attracts many grown up girls to the city. In the absence of proper and sufficient hostel accommodation they are driven to take shelter in private boarding houses which are neither suitable nor safe for them. Unless the question of providing suitable accommodation for girl students is tackled immediately a serious situation may soon be created which it will be difficult hereafter to control.

Practically no provision has been made for the improvement and expansion of primary education. The meagre provision of Rs. 6,250 (page 85 Explanatory Notes) for additional recurring grant for the establishment of Bise primary schools in municipal areas shows that no serious attention has been given to this question. The Bill scheme was first initiated about 20 years ago and the people had been expecting that primary education in this country would ere long be free and compulsory. Progress however was checked within a few years of the initiation of the scheme and there is a feeling that the Government have not kept the promises they gave to the Municipalities.

The extremely poor pay of the school teachers especially of primary school teachers has always been the subject of comment in this country. It is a shame that a teacher in this country has to work for a salary of Rs. 15 or Rs. 20 per month only. Sir, I will remind the Hon'ble Minister that the school teacher has also got a family to keep and that he has also his problem of *Dal-Bhat*.

Sir, there is one item in the Civil Works Budget to which I shall now refer, viz., the sum of Rs. 4 lakhs 35 thousand provided for the construction of a new Central Jail at Dum-Dum, and for providing accommodation for the Eastern Frontier Rifles (Pages 14 and 15 Estimate of Provincial Civil Works). I do not understand why the provision for accommodation for the Eastern Frontier Rifles has been mixed up with the provision for construction of the Central Jail and classified under the heading "Jail and convicts settlements". In any case, I think it will be admitted that the necessity of a Central Jail at Dum-Dum does no longer exist. If the work has been taken up it should now be stopped. Sir, will the Hon'ble Minister tell us why this expenditure it yet necessary. The provision for original civil works under head "Education" amounts to Rs. 17,950 and that only for certain works at Rangamati (page 16 Civil Works Budget). The provision under head "Medical" is also equally poor. On the other hand we find that a sum of Rs. 60,000 is proposed to be spent for the construction of a residence

for the Collector of Rangpur (page 10 Civil Works Budget). Rupees 60,000 can build a palace. Is it not time that we should curtail such lavish expenditure.

Sir, I thank you for this opportunity you have given me to speak before the House.

Mr. BIRENDRA KISHORE RAY CHOUDHURY: Sir, I congratulate the Hon'ble the Finance Minister on the surplus budget which he placed before us the other day. I congratulate him also on the legitimate pride that he has taken in making his statement as the first responsible Minister of Finance of this province.

Bengal had been the most prosperous *suba* of the great empire of the Moguls. It was then regarded as the granary of India. It was reputed for its wealth and resources, and easily it became recognised as the premier province of the empire. Under British Rule also it became the most progressive territory in the whole country. But for over 15 years after the introduction of the Montagu-Chelmsford Reforms, it was condemned to a financial settlement which succeeded in reducing this Presidency to a most backward area of India. With a larger area and vaster population to cater to, Bengal was endowed, under the Meston Award, with far smaller financial resources than the Presidencies of Madras and Bombay. It is no wonder, therefore, that while the rest India has developed from progress to progress, Bengal has not only n from its old position of premiership, but, absolutely speaking, it has become backward in the fields of education, public health medical relief.

Thanks to efforts of His Excellency Sir John Anderson and Sir Otto meyer, the province has now been given some financial relief. We now secured for our expenses 62½ per cent. of the proceeds of the Export Duty. And it is also a matter of congratulation to us, Sir, our debt to the Central Government has been written off and we been given an opportunity to begin our autonomous career with a slate. But although we have reasons for congratulating ourselves e additional income which we have already secured for our province is still no occasion for us to hold up our hands and rest content the existing resources. It is up to us that we should fight and fight for the remaining portion of the proceeds of the Jute Export Duty. happy to find that the Hon'ble the Finance Minister has referred e subject in his statement. I am sure he will continue to press, has promised, for the whole of the Duty.

only when we receive the remainder of the proceeds of the Jute rt Duty our normal income may reach the figure which some of provinces with lesser population and lesser territory to serve have ly enjoyed for a decade and a half. I believe, Sir, that in case normal income is augmented by this method to something over

14 crores of rupees a year, we may seriously undertake our nation-building work in this province without unnecessary and *ad hoc* taxes. The Minister of Finance has not, of course, held out any hope to us that he will find it possible to do without the specific cesses and taxes for the development of specific nation-building projects. But, Sir, coming from the rural areas and representing the rural people as I do in this House, I shall fail in my duty if I do not point out that the imposition of such specific cesses and taxes will only be the last straw on the camel's back. The people of Bengal, high or low, are already subjected to a burden of taxation which they can hardly bear. The net proceeds of the Jute Export Duty are wholly ours by right. According to no canons of justice and equity can any portion of these proceeds be claimed by the Government of India. It is, therefore, up to the Finance Minister to demand the remainder of the Duty on behalf of his Government with all the emphasis and tact of which he is capable.

A Member: Will it not be better, Sir, to take the written speech as read and appended to the Assembly Proceedings?

Mr. BIRENDRA KISHORE RAY CHOUDHURY: I have no doubt about it, Sir, that when this money is received, he may undertake the introduction of free and compulsory primary education in this province without the imposition of any fresh tax. If our existing resources are properly utilized and organized, all nation-building projects may be undertaken without adding afresh to the burden of the people.

Demands upon the Finance Minister from the spending departments are always considerable. Nor is it in every case possible for the custodian of our purse to resist this pressure. But, Sir, although I recognise this difficulty in the position of Hon'ble the Finance Minister, I would have been glad if he successfully resisted some of the petty demands of the spending departments. He tells us that practically 89 lakhs of rupees more are being spent by the different departments this year than in the financial year which closed on the 31st March last. The piecemeal increase in expenditure in different departments has however little lasting effect upon the progress of the people. It, in fact, leaves no impress upon the face of the province. We would have been glad if this large sum of 89 lakhs had been devoted to some particular nation-building purpose. If, for instance, this money was spent on establishing a net-work of hospitals, it would have succeeded in removing a long standing grievance of the people. The Hon'ble the Finance Minister has again referred to the sum of rupees 54 lakhs which is being spent every year for providing extra-ordinary police work in the province. I have no doubt about it that

the Council of Ministers ought to have cut out this arrangement and released this huge sum for constructive work in the province.

The terrorist movement is now as dead as mutton and the precautionary arrangements for arresting and undermining this movement are no longer necessary. The Council of Ministers ought to have been more bold. It should have taken courage in both hands and broken up this special arrangement. If the Ministers were capable of it and if they could accomplish it outright, their policy would have been doubly welcome. It would have been welcome because it would have relieved the people in the country-side as well as in the towns from the vexatious activities of the great battalion of spies, informers and plain-clothes policemen who have been let loose upon our population for the last eight years and more. It would also have released half a crore of public money from unproductive expenditure.

For the establishment of more public health units 1½ lakhs of rupees have been provided. I remember, Sir, that these health units were the fruit of the great public health scheme which the late Deshbandhu Chittaranjan Das adumbrated in the Legislative Council in 1924. But I am not sure, Sir, if these units, as worked under the control and supervision of the District Boards, have really proved helpful to the prevention of epidemics and to the sanitary improvement of our country-side. I believe, Sir, that a real enquiry by the Government in this field has now become due.

These are the few observations, which I like to make, Sir, on the statement of Hon'ble the Finance Minister, which is really a very lucid and praiseworthy document. Before I resume my seat, I congratulate him again on what he has accomplished under the difficult circumstances in which he had to work.

Adjournment.

(At this stage the House was adjourned for 15 minutes.)

After Adjournment.

Mr. SARAT CHANDRA BOSE: Mr. Speaker, I feel no hesitation whatever in congratulating the Hon'ble the Finance Minister and his colleagues on the labour they have given to the preparation of the written composition which has been described as the budget speech. In that composition which was read out to this House the Hon'ble the Finance Minister has really taken nothing for granted. He has taken for granted neither the intelligence of this House nor its information. He has assumed the role of a coach,—a conscientious coach if I may say so—who considers himself responsible

for guiding his pupils,—successfully if possible—through the examination for qualifying as critics of the Government. We thank him for his solicitude.

Sir, ungracious though it may seem for the moment, I must confess to a feeling of disappointment when I read that written composition at leisure. It is full of cheap claptrap and cheaper rhetoric, but when we come to brass tacks,—an expression which the Hon'ble Finance Minister has himself used in the written composition,—what do we find? The Finance Minister has appealed to us to turn from the familiar methods of agitation and accusation to genuine introspection. He has appealed to us to get down to brass tacks. Now, Sir, may I ask without impertinence, does he believe that he himself has set us the example? What else is his written composition but a manifesto and an apologia on behalf of the Government? I say, Sir—and I say so with the utmost respect to the Hon'ble the Finance Minister—that the budget speech which he has read out to the House is really very different from what a budget speech ought to be. I venture to say, Sir, that a budget speech is and ought to be a very different thing altogether. It ought not to be a dissertation of the kind which has been read out to us with some pain and difficulty and which has been listened to by us with Job-like patience. The Hon'ble the Finance Minister has said that his task—again I am quoting his words—is not of that of a mere accountant in a business house. Sir, Peel and Gladstone would have felt proud if they had been described as a nation's accountant. But Mr. Sarker felt proud to give us an election speech and I sympathise with him because he had possibly no opportunity to make an election speech before his restricted constituency of 130 souls!

Sir, I will not detain the House with an examination of the heads of receipts because there is hardly time for that, but I shall attempt to analyse for a few minutes the figures of expenditure. And coming to the figures of expenditure, I believe that the House will agree with me that I am not guilty of the slightest exaggeration if I say that it is the same old story of swollen overhead charges, the same old story of swollen police expenditure with no more than mere pitiful doles to the nation-building departments. General Administration is responsible this year for an excess of nearly 25 lakhs—to be more accurate 24 lakhs 89 thousand—over last year's expenditure. The immensity of the increase will be realised if it is remembered that during the two financial years 1935-36 and 1936-37 —and I am giving figures to this House—expenditure on General Administration had gone up by nearly 16 lakhs so that the total increase in this particular head since March 31, 1935 is nearly 41 lakhs. Sir, as to the expenditure on the Police, the expenditure this year—and if the members had not the figures before them they would hardly

believe me—is estimated at Rs. 2,27,69,000. The expenditure on jails and convict settlements claims a figure of Rs. 44,49,000. These are the old and venerable features of the old bureaucratic administration which is supposed to have yielded to a new order of things on the 1st of April, 1937. The Hon'ble the Finance Minister, seeing the difficulties in his way and failing to overcome the old and venerable features, as I have described them, of the old bureaucratic administration, has tried to soften the dose by expressing the pious hope of reduction in a year or two. That pious hope is given expression to by him in pages 27 and 28 of his written composition. This is what he says: ".....and for some time after such release can be effected (I would remind you, Sir, he means the release of political prisoners), the additional machinery may still have to be maintained to a certain degree to meet the possibility of recrudescence of the terrorist movement or the appearance of other subversive movements." This is the pious hope he has given expression to. Here again I say, Sir, shall I be wrong in describing it as the old voice—the old master's voice, speaking through the eleven new machines recently installed in this Council Chamber?

Now, Sir, by way of contrast to the expenditure on General Administration and the Police, let me point out the pitiful doles to Education, Medical Help and Public Health. Education is given an additional Rs. 3½ lakhs only, Medical Help is given an additional Rs. 3½ lakhs, whereas Public Health is given an additional Rs. 7 lakhs only. Is it necessary to satisfy this House, is it necessary to make this House, to believe that these additional grants are utterly inadequate for the purposes for which they have been given or they are proposed to be given? Now, Sir, if I may remind you about the grant for Primary Education, the amount proposed to be set apart for this purpose amounts to only Rs. 27 lakhs. In contrast to that, I remind the House about the grant which the Corporation of Calcutta makes for primary education for the citizens of this city year after year? The Corporation of Calcutta, it will be remembered has an income of less than one-fourth of the income of the Bengal Government; yet the provision made by the Corporation of Calcutta for primary education is a sum which is proportionately much higher. I say by no means universal primary education because the Corporation has not reached that stage—yet for what it does the Corporation spends Rs. 13 lakhs every year, with a revenue which is—I would remind the House—less than one-fourth of the revenue of the Province of Bengal. I would ask the members to turn to that picture and not looking at the picture presented by the Hon'ble Minister.

Then, Sir, I should have expected to see some provision made to deal with the menace of tuberculosis and for the provision of climatic

sanatoria for this province. In this connection, may I remind this House that England, a country which has an area possibly smaller than our province, has got over 28,000 beds for tuberculosis patients in different sanatoria in different counties, whereas poor Bengal has got—will you believe me, Sir,—only 284 beds including 110 beds at the Jadavpur Tuberculosis Hospital. There is not a single climatic sanatorium in the whole of this province,—it will be more accurate to say that there was not a single sanitorium in the whole of this province until recently. One sanatorium has, however, been recently opened at Kurseong in the district of Darjeeling. In this connection I expected to hear something about the contribution which the Government of Bengal received about three years ago from a public-spirited citizen of this city, Mr. Ramkumar Bangur, who contributed Rs. 3 lakhs for capital expenditure on a climatic sanatorium. But, of course, as regards the menace of tuberculosis and the attempt to deal with it, the budget figures are practically silent. Now, Sir, I should have thought that if of the increased additional receipts for this year, which according to the Finance Minister are about 60 lakhs, the Finance Minister and his colleagues had devoted at least half to meet social needs, it would have been a faint realization on their part of their responsibility to the people of this province. I have already given the additional figure for Education, the additional figures for Medical Help and Public Health. The excuse is, however, forthcoming in the written composition, and before I come to "Excise," may I repeat the trite saying—"To excuse oneself is very often to accuse oneself?" The excuse is the plea of want of time.

Sir, if the Ministers jointly and severally belonged to political parties with clear-cut policies and clear-cut programmes, they would not have put forward this plea of want of time before this House. If they really believed that they had policies of their own and a programme of their own and if they had been brought together on the basis of common policies and programmes, this plea of want of time would not have been put forward before this House. As it stands, the budget figures and the budget speech reveal no policy, reveal no plan. If the Council of Ministers had a mind of their own, if they felt that they had power at their back, it would not have taken them long to bring about a peaceful economic and social revolution in the province and to give indications of it in the budget speech which took more than a hour's reading the other day. And if I may, I would like to show what was possible in other countries. I may point out to the House the example of M. Léon Blum last year in France. The example is this: M. Léon Blum put through a economic revolution in France within the space of a few weeks.

The Hon'ble Khwaja Sir NAZIMUDDIN: How long did it last?

Mr. SARAT CHANDRA BOSE: The Hon'ble the Home Minister asks how long the economic revolution lasted. I may tell him, Sir, that ministers may come and ministers may go, but economic and social revolutions do last and impress themselves upon the lives, the minds and the hearts of the people. I would ask Government to follow that example. I would ask them to come nearer home and follow the constructive programme of the Congress. That constructive programme has been laid down in eleven items only by the Working Committee of the Congress. They are easy to understand, equally easy to carry into execution. Instead of that what do we find? We find that there is no programme either in the bugdet speech or in the figures placed before us of any national or provincial reconstruction in any shape. It is the same old story of resources being found to be wanting and the same old, old story of want of time.

I do not know if I have any time left to examine just one item and that is the figures on the receipt side. This House knows that this is a surplus budget for which congratulations should rightly go to the predecessor of the Hon'ble the Finance Minister—Sir John Woodhead—and to Sir Otto Niemeyer; but so far as the individual contribution of the Hon'ble Minister is concerned, it amounts to this:—and I am using his own words—there is expected to be an increase of 15 lakhs in the estimates from Stamps, Excise, and Land Revenue, and even these items, according to the Finance Minister, purely conjectural. May I, Sir, deal for a moment with the estimates of Excise? This side of the House cannot enter into any compromise with the policy of making the people drink more in order that money may be found for nation-building activities. I would remind the Hon'ble Minister and his colleagues that, whether it is Excise, or whether it is a question of the renewal of the Bengal Tobacco Tax, renewal which he has foreshadowed in his written composition read to this House, this House cannot possibly support either of these measures and so far as the last measure is concerned I would remind the House—

(At this stage the member, having reached the time limit, was allowed one minute more to finish).

—may I remind the House that we shall be no parties to the renewal of any measure of taxation which hits the poorest of the poor, be he Hindu, Moslem or Christian; we shall be no party to a scheme or policy which has for its object an increase in the excise revenue by making the people drink more. We shall readily agree and readily submit to any proposals which disclose not bankruptcy of imagination or bankruptcy of statesmanship as the present proposals do, but which show that there is a real and genuine endeavour to put forward before the province a plan of rural reconstruction, a plan of economic

reconstruction, a plan of social reconstruction, which have been forshadowed quite clearly in the programme of Congress.

Mr. SPEAKER: Before I call on other speakers I am very sorry that the time at our disposal is not much. I hope therefore that the House will extend its indulgence to me when I ask the different speakers that they should not take up more than five minutes each. I propose to call the Hon'ble Finance Minister at 7-55 and to carry on till 8-30 p.m. In view of what I have said, I hope the next few speakers will arrange to kindly take only a few minutes to speak on the budget.

Mr. A. M. A. ZAMAN addressed the Assembly in Bengali.

Maulvi ABUL QUASEM: Sir, I would like to say a few words on the budget that has been presented to us by the Hon'ble the Finance Minister this year. It is our proud privilege under the new constitution to have our first budget prepared by our own representative and by no other than the Hon'ble Mr. Nalini Ranjan Sarker. No doubt, Sir, the task is a difficult one and I congratulate the Hon'ble Minister for the trouble he has taken in preparing the budget and for bringing this province into its present solvent condition.

Before I enter into a discussion on the budget I want to say a few words about our attitude towards the present Ministry. At the time when the Ministry was formed we signified our consent to give support to the present Ministry to work out this constitution. This support is always available on the ground of broad public policy. In short we are prepared to co-operate with them provided they do what they are daily saying without any fear or favour. Our attitude towards the present Ministry depends entirely on the Ministry following a policy of justice and fairplay to the country and to the different communities.

At the time when the Ministry was formed we reposed a great amount of confidence in them. I do not contend for a moment that at the present moment they have lost that confidence. But I feel bound to say and say with a grave heart that the form in which the budget has been presented to us is not a fair and straightforward attempt on the part of the Hon'ble Minister to meet the growing demands and legitimate grievances of the people. Every one, with the advent of this new constitution, expected that sufficient provision would be made for the free and compulsory primary education but we are hopelessly disappointed to find that instead of making sufficient provision for primary education much attention has been paid to the fantastic programmes of the Calcutta University. No sufficient provision has been made for technical education to meet the growing needs of a progressive province: no provision has been made to improve the health of our young people of Bengal who are our future hopes: no provision has been made to

improve cottage industries. I may say to this House that in my own district of Hooghly *chikan* and embroidery work was a speciality: at one time this *chikan* work used to be sold at a fancy price in Europe and other countries outside India and the people used to make immense money out of it. But now I am sorry to say that if you go to my district you will not find half a dozen men doing this work. If Government is really anxious to revive this industry it should make sufficient provision for it—in that case my own district alone would require Rs. 10,000 to start with. In my own village Haripal there were hundreds of weavers producing fine saries and dhoties known as kachi dhoties and saries. It has now become things of the past. If the Government sincerely desires to revive this dying industry they should come forward with sufficient money with strong determination and with sincerity of purpose.

(Here the member, having reached the time-limit, resumed his seat.)

Mr. M. SHAMSUDDIN AHMED: The time allowed is 5 minutes and is not sufficient for me to say all that I want to say at this tag end of the day. The Hon'ble the Finance Minister has stated many things in his budget statement; criticisms against the budget have been heard ...d in favour of it. I would only suggest to the Finance Minister to ... to that portion of his budget speech where he spoke of the national ...onstruction. I would remind him of the two speeches that he ...vered in 1927 and 1928. In one of his speeches he said that in ...oing budget estimates rigid economy and relentless retrenchment ...ld be adhered to. I would only ask my friend Mr. Sarker to see ... relentless retren...hment is made. I am surprised not to see any...g of the sort in this budget. Many members on the floor of this ...e have criticised that aspect of the budget.

... would only say this on the constructive side that under the Civil ...ds either of Police or General Administration or other heads which ... away much of our money some relentless retrenchment should be ...; otherwise we cannot get money. We have talked much of this ...inistrative system as taking away much of our money. As has been ... by my friend Maulana Maniruzzaman Islamabudi the charges for ...ection and superintendence take away a lot of our money. There... I would suggest to the Finance Minister that in future while fram... the budget, police expenditure must be cut down, General Admini...tion charges must be cut down and money must be found for the ...onal reconstruction work. Nation does not live either in Clive ...et or in Chowringhee or anywhere near Calcutta; nation lives in cottage and in the villages. I must tell my friend Mr. Sarker ...ugh you, Sir, that the masses of this province are steeped in utter ...orance, they are steeped in illiteracy and above all they

are steeped in indebtedness and this indebtedness not only takes away the industry, the energy and their dynamical force but it takes away the humanity of these people. Therefore in order to retrieve the position of the masses, in order to see the masses put on their proper level as in other countries, I would say that as we have got provincial autonomy we must begin with a clean slate. Mr. Sarker said in his budget speech that we would consider what to do with the proprietary interest on land either of superior or inferior landlords. He does not find any money but I would suggest to him what we have got in our programme that if we abolish the zamindari system and Government do take up the administration of lands and give the tiller of the soil proprietary rights he will get about Rs. 13 crores. Out of these you can put away Rs. 2 crores as collection expenses leaving us a margin of Rs. 11 crores. I know that the Government of India Act will not allow us to take away the estates of zamindars without some compensation. Therefore I would suggest that he must rise to the height of the occasion and in order to have a real national reconstruction he must raise a loan of Rs. 100 crores. The Government of India raised a loan of Rs. 30 crores at Rs. 2½ per cent. interest. I suggest that the Government of Bengal should raise a loan of Rs. 100 crores and out of this amount something may be paid to the landlords, if any money is to be paid at all. We understand that another 100 crores will be required to pay off the debts of the peasantry but if we can pay Rs. 50 lakhs we can remove the indebtedness of the people.

(At this stage the member reached his time limit but was allowed another minute to finish his speech.)

Of course it may be said that these are visionary schemes. We always live on vision and live and die for ideals. We always work for ideals and the so-called provincial autonomy that we have got to-day must be used for the good of these ideals and for the good of the country.

Mr. Shah Syed COLAM SARWAR HOSAINI spoke in Bengali of which the following is an English translation of his speech:—

The Hon'ble Mr. Nalini Ranjan Sarker has had the unique honour of introducing the first Budget under the new constitution. I congratulate him on this and hope that the economic condition of Bengal will greatly improve through his efforts.

The most disappointing feature of the present Budget is that it has made very little provision for public Health, Agriculture, Industries and Education. It will indeed be a matter for regret if the old state of things continue even under the Reformed Constitution which affords a wide scope for national uplift. As regards Free Primary Education and agricultural indebtedness the Budget maintains a complete silence.

The Government of Bengal receives 2 Crores of rupees from the Central Government on account of Jute duty which it spends on the various Government departments. Government also collects 11 lakhs of rupees every year from Jute Companies under the Calcutta Improvement Trust Act and this amount it makes over to the Improvement Trust Funds. Thus the vast mass of producers of jute, viz., the peasantry in Bengal get absolutely no benefit from any of the above amounts. Governments should therefore reduce their expenses in other departments and provide for Free Primary Education and Agricultural Banks in the country. Both of these are very badly wanted.

As for Irrigation Department, ample provision has been made in the Budget for various irrigation canals in the country. But no sums are allocated in the Budget for protecting the district of Noakhali from the disastrous effects of the erosion of the Meghna river. Considerable damage to life and property has been caused by the Meghna. The miserable plight of the poor inhabitants beggars all description. All the efforts of the District Board, Municipality and the public of Noakhali to erect a bundh for preventing the havoc have so far proved abortive. But unfortunately Government in the Irrigation Department have not bestirred themselves in any way to help the poor inhabitants of Noakhali in their distress. The present Budget also omits all reference to Noakhali in this respect. I therefore beg to draw the attention of the Government as also of the Assembly to it.

Mr. B. MUKHERJEE: Mr. Speaker, Sir, to me the budget is a disappointing one coming as it does from a constitution which admits of no elastic source of raising money and from a Ministry composed mainly of big landlords and financial magnets of this province. If you have to examine the budget in the light of the most pressing needs and demands of the country you will find that it is a miserable failure. Sir, millions of peasants in the country are expecting that they would get a reduction in the heavy rent under which they are groaning and the insistent demand of the whole country is that level of price of agricultural products should be raised. In these two respects the Hon'ble Finance Minister confesses his impotence under the Act; if that is the case, he should have the courage of conviction to say that this constitution is unworkable and that through it nothing deeply good—nothing substantially good for the country and the communities—at least for the peasantry of Bengal can be done. I have gone through the List of subjects allotted to the Provinces and have tried in vain to find any expansion of the scope of business; they remain as they were in the days of yore—Land Revenue, Excise and Stamps. There are of course a few other items, but none of them can be called major items, yielding any large amount of revenue. For instance there is no indication of

income-tax being imposed on agricultural income; the landlords have been so far exempted from the ordinary income-tax on the plea that their income is derived from agriculture. But these pleas should not hold now in view of the present state of the country. So that although there was a source of revenue it has not been tried as we can easily expect from a Ministry composed of landlords. If they were taxed with a high tax going up, say, from 50 to 80 per cent. over an income of, say, a thousand of rupees, we could have obtained a good deal of money sufficient for the introduction of free and compulsory primary education. In this way we are not surely taxing the already poor and over-taxed peasantry. Our friends of the Krishak Praja Party have pinned their faith on primary education as if the peasantry who are looking for bread can remain satisfied with books; even if they get education, do you think, Sir, that with hunger unsatisfied in them, they will remain content? We have already got thousands of educated unemployed young men, but has that brought peace into the country? So education is not the primary question; the primary question before the country is national reconstruction and our constitution gives us no scope in respect of this great object; so that our whole national prospect is a fight between national economics and foreign imperialist economics, and this imperialist economics will keep India backward as an agricultural country; and there, Sir, lies the rub. The whole constitution is made in such a way that real power which can develop our national industries, that is outside of our control, I mean credit and currency, and the power of imposing any discriminating tariff has been, conveniently, left to a federated chamber which is irresponsible and which is not representative of the country. So, when the Hon'ble Finance Minister vaunts so much of fiscal autonomy he ought to know that there is no rural fiscal autonomy for this country; Bengal and the other Provinces have not even been raised to the status of "States." They are therefore nothing more than mere glorified District Boards! It will be seen, therefore, that we have not the power to do anything under the present constitution; and that ought to be clearly understood and I find in the lines of the Finance Minister's speech that he too has deeply understood the problem and that he cannot give any relief to the over-burdened and heavily taxed raiyats and peasants of the land Our revenue is really only less than 4 crores but behind them the peasants has got to pay at least 20 crores more; the tenants have got to pay something like more than 14 crores, and the actual cultivator has got to pay at least double! Therefore, Sir, this being the position I would ask our friends through you, Mr. Speaker, to go back to their constituencies and tell the peasants that there is no hope for them out of the present constitution. There is no chance of any reformist solution being arrived at, Sir, and the only solution possible is the revolutionist solution, the creation of intolerance against dearth and disease which cannot be removed under the present constitution and to

ask the people to create mass agitation and resort to direct action which are the elements of the revolutionist solution. Nothing else is possible, Sir, under the present constitution.

Mr. P. BANERJI: Mr. Speaker, Sir, I must thank you at the outset for these five minutes, but, Sir, I respectfully submit that it is impossible to do justice to this great debate in such a short time. Sir, after hearing all the speeches, I have come to the conclusion that there is one word with which to describe this budget, and that word is "Old wine in a new bottle, but with a wrong label"! This is absolutely the characteristic of the budget. Criticisms have been offered—and very rightly—from this side of the House, and member after member has admitted that such criticism is necessary for the healthy growth of good administration. But, Sir, in spite of that I fail to understand why the European group and particularly Mr. Wordsworth of the *Statesman* say that it was rather wrong on our part—on this side of the House—to pass such remarks. I find that Mr. Wordsworth is not present here.

Mr. SPEAKER: Mr. Banerji, I would request you to address the Chair and not any member direct.

Mr. P. BANERJI: Sir, my position is so awkward that I cannot ..ly turn towards you.

As I was saying, Sir, Mr Wordsworth is not here, but the Leader his Group is here, and he can carry this news to his brother in ..h. To-day I would ask the Hon'ble Mr Nalini Ranjan Sarker to ..member those days when he was a Whip of the Swarajist Party in old Bengal Legislative Council, and what did he use to do? He ..d to give our leader Deshbandhu Das reports from the *Statesman*, ..o used to ask Mr. Sarker what the reports were, and he used to .. "Sir you are right as the comments are against you". That was .. idea of Mr. Sarker, and I pity Mr. Sarker that to-day he seems to ..joy the eulogy offered to him by the representative of the *Statesman*. would only ask him to think over from what height to what pit he .. fallen!

Mr. SPEAKER: Mr. Banerji, I think this Chamber is much cooler ..an the old one.

Mr. P. BANERJI: Sir, I will now come to the budget itself and ..y, as has been pointed out, that the budget is most disappointing. ..ngratulations have been showered upon the Hon'ble the Finance ..nister by nobody except the representatives of the European

Group, and nobody else has given him whole-hearted support although they have given him praise, and have condemned one or other part of his budget. Only one portion of the budget, I mean the contributed introduction, has been praised generally. The contents of this introduction like the introduction of trash novels show what is not in the budget. Dr. Nalinaksha Sanyal knows it very well, for he has written many such contributory introductions for the Hon'ble the Finance Minister and also many such speeches. I do not give him any credit for that, and it is up to Dr. Sanyal to say whether the Hon'ble Minister deserves any merit or demerit for that part of the speech. So far as the budget is concerned, Sir, the Hon'ble the Finance Minister has done no miracle. I would ask him to look to the Chief Minister of the Punjab, Sir Sikandar Hyat Khan, and what the cabinet have done there. It has been said here that the lives of many families would be at stake if the political prisoners are let loose. But I submit, Sir, that on the contrary, if these prisoners are released, it would mean a reduction of the heavy police budget. In the Punjab we find that so called worse criminals I mean the criminals of Martial Law and also of Lahore Conspiracy Case have been released. What I want to submit to you, Sir, here is that there has been no terrorism: terrorism has been created by the police and so long as the police oppression will exist terrorism as retaliation will continue. If there is heavy cut in the police budget there will be no terrorism. This I have always been saying for the last 8 years on the floor of this House. I challenged the Government on many occasions and I now even throw the gauntlet and let Government take it up.

Mr. SPEAKER: I find that there are so many speakers still and I am afraid we will have to sit late. So far as I am concerned I am prepared to do so but I would like to know the views of the Treasury Bench.

The Hon'ble Khwaja Sir NAZIMUDDIN: If the members of the House want to speak we have got no objection.

Mr. SPEAKER: I am very sorry it might cause inconvenience, but in view of the fact that this is an important budget discussion I feel that the members will give us the indulgence of continuing the sitting.

It may be that certain members might like to leave now; so I would like to announce that the House will meet on the 9th, 12th and 13th at 4-45 p.m. on each of these days and on the 10th at 3-45 and on the 9th we will take up the priority resolutions and then others in order.

Mr. IDRIS AHMED MIA addressed the House in Bengali

Mr. ABDUR RASCHID MAHMOOD: Mr. Speaker, Sir, the budget as presented by the Hon'ble Finance Minister is quite unsatisfactory and extremely disappointing. We did not expect such a budget from a popular Finance Minister. It is no improvement upon the previous budget but is the repetition of the same old steriotyped story. Coming to the expenditure side of the budget we find that no provision has been made for the immediate introduction of free and compulsory primary education in this province. Promises were held out from time to time by the Chief Minister as well as the Minister in charge of Finance that free primary education would be introduced very soon. Free primary education is the immediate demand of the masses of Bengal and you cannot on any plea defer its introduction. No attempt has been made to improve the lot of poor village school teachers.

We find, Sir, that the Calcutta University has been provided with an additional grant. It has been treating the Muhammadans with a step-motherly eye. Not only has it banned the appointment of Muhammadans but it has given a rude shock to Moslem feeling by incorporating Lotus and Sree as its motto. In spite of repeated protests the University did not think it proper to meet the demands of the Muhammadans even half way. Practically, it has become a communal institution which should not receive such a grant.

Sir, the peasants have been left to the background as before. ... were held out to them times without number by the Ministry ... early steps should be taken to improve their condition but no ...ision has been made to ameliorate the miserable condition of the ... peasants.

Sir, a provision of Rs. 50,000 has been made in the budget for ... appointment of a committee to enquire into the land system of ...gal. I am afraid, Sir, it is only a devise to shelve the burning ...tion of the amendment of the Bengal Tenancy Act. The com...ee will take 5 years or so to submit its report and by that time ...term of the present Assembly will come to an end. I would like ...draw the pointed attention of the honourable members of this ...se to such an ugly devise. The poor peasants will not tolerate ... conduct and they will not hesitate to rise in revolt against the ...rnment. The zemindars and mahajans have been sucking the ...blood of the tenants and they will no longer allow themselves to ...e sucked. The distress of the tenants have reached the maximum ...t and they will now rise and retaliate. I warn the Government ...he danger ahead. The Bengal peasantry demands to be treated ... men and not like cats and dogs.

Sir, a huge sum has been budgeted for political prisoners and may ...now the reason why it has been so done? If they are guilty I ...ld ask the Government to treat them like ordinary prisoners and

if they are innocent they must be released and the money thus saved should be spent for ameliorating the condition of the poor tenants. I do not understand, Sir, why provision has been made to give allowances to the political prisoners and detenus——

(At this stage the member, having reached the time-limit, resumed his seat.)

A member [illegible] Mr. Speaker, Sir, there are many things to say regarding the budget but at this fag end of the day with very short time at my disposal I am diffident whether I shall be able to complete what I have to say. There are many academical discussions regarding the budget but I do not like to deal with them. So far I can neither congratulate nor condemn the Finance Minister but I thank him for clearing up the budget with a surplus, for it shows that the country is not running at a deficit. One real thing is that the budget has shown that something has been given to every department of Government showing that no department has been neglected, but as a matter of fact, practically the nation-building departments have been neglected, and my honourable friends have dwelt much on that. I shall simply say regarding some local needs which were long overdue and the Government was sleeping over the matter for a long time.

Regarding local needs I shall first deal with Public Health, Medical, Sanitation and all these things. The Hon'ble Finance Minister, as we have seen, has practically decreased the amount given to Public Health this year. Of course, the explanation is that the contribution of district boards, etc., for the salaries of the officers is not there. But practically on turning over the pages of the budget I see that it was an actual decrease in the budget. Under Public Health, no tangible figure is found. We have heard and the budget shows that the major portion of the money is coming from the peasants and tenants but what do they want? They want only better fooding, better clothing, sanitation and education. I should like to say and point out that this demand of the peasants has been practically neglected and the budget has been framed in the most steriotyped way.

Sir, much has been said about the tuberculosis but the Government is silent on the matter, and is taking no steps to combat this fell disease. In this connection I beg to point out, Sir, to the Hon'ble Members of the Cabinet that in every province save and except Bengal there are sanatoria—there are sanatoria in United Provinces, in the Punjab and in Bihar but Bengal patients are all dying unnoticed without any medical help. In the villages the uncared-for labourers and tenants are dying without this fell disease being detected. The

Kabirajs and quacks are giving the diagnosis as "Raktapitya" or ordinary cough while they are actually dying of tubercuolsis. A fortunate few only get accommodation in sanatorium; and other provinces refuse them. The Bengal Government has several times been requested to open sanatoriums in hill districts, but they did not think it proper to pay any attention to this request. I would therefore request the Hon'ble Finance Minister to make some provision to combat this fell disease and also some provision for public health.

Babu KSHETRA NATH SINCHA: Mr. Speaker, Sir, after a long time I have got the good fortune of speaking something on behalf of the scheduled castes. Time is short and I cannot touch on all the points at a time. So I would only touch the point in which we are vitally interested. Whether I would complain against or congratulate the Finance Minister I do not know. But I would ask the Finance Minister and the two Ministers belonging to our schedule caste as to what they have done for our schedule castes. In this long budget what has been provided for our backward, depressed or oppressed schedule castes. Sir, we are groaning under all sorts of disadvantages, disadvantages in education, disadvantages in food, disadvantages in every equipment of society. We are properly called the depressed class though somehow or other, and I do not know how we have been [illegible] the schedule castes. The proper word for our community, [illegible] have been depressed class. I would now ask our two Ministers [illegible] they have done for our community. His Excellency has consented [illegible] two members of our community in the Cabinet. I would tell [illegible] that if they go on in this way, they will not be there to do all [illegible] for other communities, while their own community is being [illegible] ted. We who hail from North Bengal live far away from [illegible] tta, the civilised town of this province. In North Bengal what [illegible] get? We get nothing. In the Census Report the number of population in the Rajshahi Division is one crore and six lakhs [illegible] h is next to the Dacca Division which has a population of [illegible] lakhs. We pay the jute tax and the tobacco tax which is the [illegible] poly of the Rangpur district specially. But what is being done [illegible] North Bengal? We have practically become hewers of wood and [illegible] er of water specially in Rangpur and Dinajpur. Though we have homes there, we are aliens there. People from other districts are [illegible] ing supreme there and we have become hewers of wood there. [illegible] have get our two Ministers from North Bengal and we hope that [illegible] would get a share in the human civilisation. The people of North [illegible] gal will not be kept as dogs and slaves, but want to live as human [illegible] gs getting their proper share of treatment. These are our [illegible] vances. I do not like to speak more but I hope that when the [illegible] get will be framed in the future, special provision will be made

for our schedule castes especially for North Bengal. If these things be not done, I do not know what would be the result. The Congress has been complaining all along——

(At this stage the member, having reached the time-limit, resumed his seat.)

Mr. M. A. RASHEED: Sir, I take this opportunity to congratulate the Hon'ble Finance Minister for his budget estimate. By this I do not mean to say that the budget estimate is up to the popular expectation. The budget speech and the budget generally outlines the policy of Government. In this connection I regret to say that the budget and the budget speech do not speak the same thing. We, on this side of the House, in the hope that the Government will frame their policy in accordance with the wishes of their supporters are pledged to support the Government so long as we do not formally express our indignation by a vote of no-confidence. I quite agree with the Opposition that the present budget is a reproduction of the old regime and it does not show any improvement whatsoever (hear, hear!) but with this reservation that considering the short time and the little opportunity that the Government got to prepare this budget, I am not inclined to take the budget itself as an index to the considered policy of the administration of the province. As I have stated before, the budget and budget speech do not speak the same thing. But I do hope and trust that unlike the present budget estimates, which seems to be a makeshift arrangement, the revised estimates will be a considered studio production. This is no occasion, Sir, to go into a detail and minute criticism of the budget. I would, therefore, confine myself to a few items which are uppermost in my mind. I take for example the Police Budget. There is no denying the fact that the country is not at all satisfied with the police administration of the province. In England, France, Germany and for the matter of that in every independent country a policeman beginning from a humble constable to the chief are real friends and servants of the people. But in this country of bondage and slavery, a policeman, not to speak of the high officials, e.g., the Commissioner of Police, Calcutta, the Inspector-General of Police, Bengal, an ordinary constable attached to some village thana, behaves himself as the master of ancient Roman or Egyptian galley slaves. Ordinary courtesy, good manners and polite language are quite foreign to the Police Department. We talk of much of the young terrorists of Bengal and we appreciate Government's other side of the picture and we are ready to give our support for the suppression of this crime. But at the same time I would request Government to protect—if I may venture to say so—Bengal from police terrorism. I shall be found guilty of suppression of facts if I do not say that the police in their every-day business do not get

adequate support from the public. But this indifference of the public is largely, if not entirely, due to the unfriendly and rude behaviour of the police themselves. It will not perhaps be irrelevant if I make a few remarks about the Calcutta Police and the Calcutta Police administration. On one occasion while we were discussing some matters with one of my friends who is in the Calcutta Police, he warned me not to say anything against the police anywhere and even he had the audacity to remark that the police were in a position to ruin anyone's career whenever they so liked——

(At this stage the member, having reached the time-limit, resumed his seat.)

Mr. SANTOSH KUMAR BASU: Sir, as my esteemed leader has made some general observations upon the budget in eloquent and comprehensive terms I would not have felt any necessity to intervene in this debate particularly in view of the attitude shown by my friends opposite with regard to the demands of the rural population. Speaker after speaker—on that side as well as on my side of the House have stood up and pleaded eloquently and strenuously for the removal of the crying needs of the rural population of this province. May I, Sir, in all humility, put in a few words regarding one particular corner of this province which at least, so far as this House is concerned, lies in obscure and neglected condition—I mean the city of Calcutta. Probably it is not known to the members of this House that for the last few years the city of Calcutta has had to undergo a process of annual depletion of its revenues at the hands of the Government of Bengal. I remember, Sir, that in 1932 the Bengal Motor Vehicles Tax Act was passed at the instance of the Ministry of Local Self-Government, the result of which was that a most fruitful source of the revenues, so far as the Calcutta Corporation was concerned, was taken away from the hands of that body.

The Hon'ble Sir BIJOY PRASAD SINGH ROY: A revenue which never received.

Mr. SANTOSH KUMAR BASU: Sir, my friend, the ex-Minister for Local Self-Government, says that it was a revenue which the Corporation never received. But the method of stopping passers-by and subjecting them to the scrutiny of the police as regards the payment of their dues has to a certain extent augmented the Government revenues. But this method was not available to the Corporation of Calcutta and that is the reason that the revenue was not so easily received. At the same time I make bold to say that the angle of vision of the Bengal Government in 1932, so far as the Corporation

of Calcutta was concerned, was largely coloured by political considerations and the inevitable result was that the pruning-knife was applied to the revenues of the Calcutta Corporation so far as this item was concerned. The income of the Government from this source has been augmented to such an extent that it has gone up to Rs. 8 lakhs and a sum of only Rs. 4½ lakhs is vouchsafed to the Calcutta Corporation. Sir, look at the other side of the picture. The Howrah Bridge tax has been imposed—a tax of ½ per cent. is being levied on the annual value of holdings in this great city and the result is that a portion of the huge expenditure on the new Howrah Bridge has been thrown on the rate-payers for the purpose of meeting an expenditure which is essentially an all-India expenditure. The Howrah Bridge is an all-India concern, as it carries all the traffic from the port of Calcutta to the rest of India and instead of taxing the rest of India the citizens of Calcutta are subjected to the payment of ½ per cent. on the annual value of holdings. Sir, at the same time, the Bengal Amusement Tax, the Electricity Duty and all these numerous Acts which have been super-imposed upon the citizens and which, I find, the Finance Minister proposes to perpetuate after expiry in 1938. Well, Sir, these are additional burdens placed upon the resources of this city. Look, Sir, at the Calcutta Improvement Trust Act. The Corporation has got to give 2 per cent. of its entire revenue to the Calcutta Improvement Trust. The Trust began with Rs. 7 lakhs when it was started and it has grown to Rs. 20 lakhs. Even after so many schemes have been undertaken and executed, the income that is derived from the Corporation by the Trust has gone up by leaps and bounds and to that extent the revenues of the Calcutta Corporation are being depleted. I am asking this House to remember that this city of Calcutta which is your temporary home and which entertains you as its honoured guests for a great part of the year is entitled to some amount of consideration at your hands. Its revenues are being depleted and its expenses are going up: new roads which are opened up by the Improvement Trust are made over to the Corporation which have got to be maintained and this adds enormously to the expenditure. But the Calcutta Corporation is in the same unhappy position of drawing only Rs. 4½ lakhs from that source. I will conclude by appealing, if any appeal is necessary or is likely to be fruitful, that legislation ought to be introduced of righting these wrongs which have been perpetrated to the Corporation.

Mr. SURENDRA NATH BISWAS: The Hon'ble the Finance Minister has told us at page 5 of his financial statement that we have to a large extent gained fiscal autonomy *vis-a-vis* the Government of India and that our control over the finances of the province has greatly increased. Then at page 7, he has said, turning to the question of our freedom of making appropriations of the available revenues it will be

remembered, in the first place, that while under the old Act the control of the legislature over votable supplies was limited, etc., etc. In view of what he has stated in these two paragraphs, may I ask him whether members of this House have got the right to make appropriations of the available revenues for the nation-building departments by making necessary amendments to various demands for grant or otherwise.

Mrs. HEMAPROVA MAJUMDAR put certain questions to the Hon'ble the Finance Minister in Bengali.

The Hon'ble Mr. NALINI RANJAN SARKER: Mr. Speaker, Sir, my honourable friend, Khan Bahadur Tamizuddin Khan, has asked me to take the criticisms of the Congress members in a sporting spirit. I shall do more—I shall take them in a spirit of reverence. I shall take the criticisms even of the Leader of the Opposition, which is nothing but a hymn of hate, in the same spirit of reverence too. I want to assure the Khan Bahadur that I have been familiar with such admonitions and aspersions for too long to be shocked or perturbed by them. Sir, I feel that if I have received undeserved blame, I have more often received undeserved praise also. So, blame or praise will not disturb or perturb me in the least in my public life. I always feel that I have more debts to pay than scores to settle. As a matter of [illegible], I have taken full notice of the criticisms which honourable [illegible]mbers have made in this House. I know that I can continue in [illegible]present position only with the concurrence of the members of this [illegible]se. I know also my limitations. I assure the members that their [illegible]estions will receive due consideration. I know also that I cannot [illegible]up to the highest standard expected of a man who has been en[illegible]ted with the responsibility of dealing with such stupendous [illegible]blems of our nation, but I can assure the House—if an assurance [illegible]ecessary—that I shall honestly and sincerely try to do my best in [illegible] respect. My friend in the Congress block—I mean Rai Harendra [illegible]th Chaudhuri—has tried to show by quoting certain speech of the late C. R. Das that I have forgotten my Guru. I know that I have the power and influence—not even a thousandth part—of my Guru; I can assure Rai Harendra Nath Chaudhuri, and I can assure this [illegible]se, that although I may not be able to do what he intended to, I [illegible] at least be able to accomplish a portion of the task envisaged in speech quoted.

One of the honourable members opposite, while criticising my [illegible]get statement, seemed to have thrown a hint that if and when members [illegible]is group came to occupy the Treasury Benches, a millenium would [illegible]ushered in. I hope that we shall live to see it dawn on us. That [illegible]uld no doubt be a modern Utopia where Ministers who draw no [illegible]ry will extend to the people who can do no wrong, all the benefits

of an ideal State. I shall await the day with pleasurable anticipation. I know that when my friends will occupy the Treasury Benches, they will do miracles in banishing all our difficulties. With their magic wand, they will remove illiteracy overnight; they will make the obliging rivers flow through arid country; there will be no necessity for maintaining the police force because crime will vanish; there will be no necessity for civil works because the business of the State will be conducted in the broad open space provided by nature; but till such a millenium comes, I am afraid the administration will continue to cost money, and a good deal of money.

Sir, criticism is a wonderful weapon when divorced from responsibility. It can conduct a complex and elaborate administration without supplies; it can do away with the Ministers; it can do away with the police force and in fact with all the appurtenances of Government. The only thing it shirks to do is to replace the existing order by a better one.

Sir, I have been accused by one of the members opposite that in this budget I have done nothing for the solution of the problem of unemployment although I have made a long statement in that connection in my budget speech. That is not true. I admit what I have done is not much, but the budget contains provision for the employment of 10,000 men under different heads apart from the employment that will be provided by Civil Works. We have prepared a schedule for various heads of new expenditure; and we have provided for the employment of 10,000 men.

Dr. NALINAKSHA SANYAL: Will you kindly let us have a copy of that schedule?

The Hon'ble Mr. NALINI RANJAN SARKER: I can put it on the table of the House next day.

All the criticisms made in the House focuss on two points—one is retrenchment and the other more money for the beneficient departments. So far as retrenchment is concerned, I do not deny that it is absolutely necessary, but I will also say that it cannot be done overnight. I can assure the House, however—if an assurance is necessary—that much more will be provided from now for the beneficient departments. So far as reduction of expenditure is concerned, Government will give their most serious and earnest consideration to effecting a saving, wherever possible. But in that connection I want to make one or two points clear which will give you an idea of the extent to which retrenchment can go and will show that our expectation to finance all our schemes of national reconstruction from retrenchment alone is not a practical proposition.

So far as compulsory primary education is concerned, I have made it clear in my budget statement, that the matter is receiving the very serious consideration of Government and for compulsory free primary education, an Education Act was passed. It has not been given effect to because the depression continued and in the past Government did not think it proper to give effect to that. So far as this Government is concerned as a matter of fact they almost decided to give effect to it when there was some agitation in the district of Mymensingh where it was notified that, this Act was going to be enforced in September.

Cries of "with tax or without tax." The notification was issued for the imposition of the cess contemplated by the Primary Education Act for imparting free primary education.

Cries of "with taxation."

I say cess. The Prime Minister thinks that the whole thing requires to be reconstructed and reconsidered before it is given effect to. So he is considering all the provisions of that Act and I hope that when the next budget comes we shall be able to make a pronouncement and by that time I hope it will be possible to make provision for primary education.

So far as I am concerned my own view is that without taxation we shall not be able to impart free compulsory primary education. You ... do it if you hold up all other activities of the beneficent depart-...

(There was great interruption from the opposition benches.)

I hope, Sir, I shall be allowed to speak without interruption. I never interrupted when they made their speeches.

Mr. SPEAKER: I would request the hon'ble members to allow Finance Minister to go on without interruption.

The Hon'ble Mr. NALINI RANJAN SARKER: I want to put ... the House that primary education is not merely learning the ... r's. A boy who will get primary education for 5 years will ...ire, in some cases at least, opportunities for secondary education in some cases for technical education; and in others this literacy ...h the boy will acquire within these 5 years will have to be kept ...hroughout his life. All these mean creation of additional machi... which means additional expenditure. That is why I say that for ...rting primary education the levy of a cess is absolutely necessary, ...ou want to leave sufficient revenue for these and for the other ...ficent departments.

So far as retrenchment is concerned, though we have taken over ...ge only 4 months ago we have not been indifferent to it. During ... short time at my disposal I have gone into the whole position. I

want to give certain facts not with any view to argue that retrenchment is not necessary but with a view to indicate the extent to which retrenchment may be possible and that this cannot be effected overnight: and whatever resources we can get by retrenchment this will not be such a huge sum that we can carry on our full programme of national reconstruction with it.

So far as our expenditure on revenue account is concerned, I have got a table prepared of *pro rata* expenditure as compared with other provinces. Of course I know that this sort of percentages are sometimes misleading, but it is the usual custom to get some idea of expenditure on *pro rata* basis to compare this with that in the other provinces. For Bengal our total expenditure on revenue account per head of population is Rs. 2·33, in case of Bombay it is Rs. 6·7, in case of Madras Rs. 3·51, in United Provinces Rs. 2·48 and the Punjab Rs. 4·47.

Dr. NALINAKSHA SANYAL: May I know how these figures are calculated?

The Hon'ble Mr. NALINI RANJAN SARKER: If you will come to my Chamber to-morrow I will show you how they are calculated.

Then the previous Government, I say, also tried to retrench expenditure to a certain extent. The Government of Bengal during the period 1921-22 and 1932-33 effected a total retrenchment of Rs. 2,70 lakhs. In 1932 they set up another retrenchment committee for revision of the salaries of some of the services and the retrenchment they have recommended ultimately will effect a saving of Rs. 50 lakhs only on salaries of the services. In 1933 they retrenched to the extent of Rs. 10 lakhs and in 1934-35 Rs. 11 lakhs. They also made a recurring expenditure during these 10 years of Rs. 1,60 lakhs met from retrenchment alone. I am giving you these figures only to show how the field for retrenchment is limited. So far as I have been able to gather, our retrenchment operations will have to be mainly confined to the remuneration of officers because you will not like retrenchment in the grants to the educational institutions and other beneficient departments. Our retrenchment will come mostly to the establishment charges and the pay of the officers.

So far as pay of the officers is concerned, the former Government has modified the scale which, I think, is fairly proper under the present circumstances. For Executive Service, I mean the Deputy Magistrates, the Bengal Government scale was Rs. 250—1,000 selection grade. This has been reduced to Rs. 150 to start with and ending with Rs. 750. In Madras the scale is Rs. 250—700; in Bombay Rs. 540—700 first grade and Rs. 300—520 for the second grade. In United Provinces they start on Rs. 250 and end with Rs. 800.

In the case of Judicial Service, I mean the munsiffs, our grade was to start with Rs. 275 ending in Rs. 700. Now it has been made Rs. 175—600.

I do not think there is much scope for retrenchment in this service. The only avenue for retrenchment will be the existing pay of the present officers. If you want to reduce their pay of course that will be an avenue from which you can retrench something.

Mr. M. SHAMSUDDIN AHMED: What about the abolition of the post of Commissioners who are nothing but post offices?

The Hon'ble Mr. NALINI RANJAN SARKER: I am afraid you cannot do that. It is beyond the powers given under the Act.

So far as the salaries are concerned our total bill amounts to Rs. 2,37 lakhs of which Rs. 83 lakhs is a charge which cannot be touched and pay of establishment Rs. 3,47 lakhs and our entire cost of officers who are drawing salaries of Rs. 1,000 and more is Rs. 75 lakhs of which Rs. 14 lakhs is "charged"!

I have placed these figures before you only to show to what extent our retrenchment operation can go.

Then, about the police. Of course, when the demand for the Police Department comes, my hon'ble friend Sir Nazimuddin will be able to place before you the exact position about the Police Department. But, Sir, from the little investigation that I have been able to make into this department I have come to the conclusion that the additional expenditure provided for is only on account of terrorism and it will, therefore, be very difficult to effect a very large amount of retrenchment in this department. The mufassal police is responsible for 1 crore 46 lakhs, and I can place before you the figures of police force per thousand of population in the different provinces; for Bengal it is ·55 against ·57 in Madras; ·68 in the United Provinces, ·90 in the Punjab; and ·94 in Bombay. It may also be stated that if the Calcutta police area is excluded, an average of 113 square miles and 76,000 in the population are served by one investigating centre. (Mr. P. BANERJI: It is absolutely unnecessary; you can do away with it.) Well, Sir, if the honourable members want to do away with the police, they have got the power to do so.

Mr. SPEAKER: Once again I may point out that at the fag-end of the debate if you begin interrupting the Hon'ble the Finance Minister, it will drag on the proceedings. If members are not satisfied with the reply of the Hon'ble the Finance Minister other courses are open to them while the voting on demands comes. But for the time being, once again, I appeal to honourable members, including Mr. P. Banerji, that they will kindly refrain from interruption.

Mr. P. BANERJI: Sir, I am making only helpful suggestions.

Mr. SARAT CHANDRA BOSE: I hope, Sir, that it does not mean Mr. P. Banerji being "named"!

Mr. SPEAKER: No, certainly not.

The Hon'ble Mr. NALINI RANJAN SARKER: Even including the high expenditure on the prevention of terrorism, our police expenditure when compared with that of Bombay, compares very favourably. On the budget figures our per capita expenditure is ·468 compared with Bombay's ·638. So far as the City Police is concerned, we spend ·372 per head while Bombay spends ·675; coming to the mufassal police, our expenditure per head is ·333 compared with ·352 for Madras and ·375 for Bombay.

Sir, now I come to the point raised by Mr. Khaitan. He said that I did not mention anything about the funds which will be at our disposal on account of the Official Assignee's office being provincialised. I did not mention it because the accounts have not yet been finally prepared; the accounts are being examined, and when they are finally settled I hope to be able to make a statement later on during the course of the appropriation of grants. Mr. Khaitan has said that we shall get about 90 lakhs. This figure is not correct; it will be about 80 lakhs, and within this 80 lakhs there are personal accounts which we cannot touch until and unless they were forfeited, because they were deposited with us as bankers by the litigant public. How much of it we can utilize as our own money and how much we shall have to keep for meeting our obligations have not yet been fully calculated, and that is the reason why I have not mentioned anything about it in my budget speech. Mr. Khaitan also asked about Mr. Ram Kumar Bangor's donation for a tuberculosis hospital. I know that he has promised to make certain donations, but I do not know as yet the whole history of the case, and the Hon'ble Minister in charge of Public Health will make a statement at the proper time when Public Health grants are discussed.

One of the honourable members on the Congress bench suggested in the course of discussion that if he were in charge of the Finances of this Province, he would have revolutionized Agriculture, the entire Public Health and Irrigation problems by capitalizing the surplus and giving effect to a loan programme. Sir, if a practical programme is submitted by him or any other honourable member, I can assure him on behalf of the Government that we shall try to give effect to it provided it is practicable. (A voice from the Congress Benches:

Refer to the Congress resolution. The Hon'ble Mr. H. S. SUHRAWARDY: That is impracticable.) But I do not believe in launching on an orgy of reckless philanthropy which might seriously affect our future financial solvency. If we borrow, we shall have to pay in cash. If we could find money by extensive borrowing and if we were to pay our interest with public spirit, or with public orations, we could have taken the risk; but if we have to pay in hard cash, I think we can only take such responsibility as we have the means to shoulder.

As regards water-supply, some members have said that we have not made adequate provision for it. I do not deny that we have not been able to make adequate provision for the entire needs of the province, but I can say that we have made a beginning. And to make provision for the requirements of the entire province we must have to formulate a scheme first and then provide funds. As a matter of fact, we have already written to District Boards to submit to us the requirements of their respective districts, and if they are of managable proportions, we propose even to raise a loan and expedite a solution of this urgent problem. In the mean time, according to the present rule a grant is placed at the disposal of the District Magistrates, who realize local contributions also in appropriate cases for the sinking of tube-wells. Our old provision was Rs. 2 lakhs, and this year we have made a provision of Rs. 3½ lakhs. Loans are granted to the District Boards to finance schemes of water-supply, and we have made a provision of Rs. 4½ lakhs for contribution to District Boards. Loans are also granted to municipalities and District Boards to finance schemes of water-supply and in this year's budget we have made a provision of Rs. 9½ lakhs. Grants for one-third the cost of water-supply and drainage projects will be made by Government this year, and for that purpose we have made a provision of Rs. 1 lakh. With regard to the other specific subjects, it will be better time to consider and discuss them when demands for grants are taken up. I will not detain members by replying to specific small matters to-day, but I only want to say that many members have asked that in Agriculture and Public Health and other beneficent departments more money has not been provided. But, Sir, it is not as if a person named Mr. Agriculture comes to the Secretariat and we pay him a more sizable portion of the revenue and thus discharge a pleasant duty. If it were so, I would have given any amount of money for it. I have made it clear in my budget statement that for spending money schemes are necessary, and we could not prepare schemes during these few months: as a matter of fact, for the preparation of the budget we had only two months' time. Whatever resources will be available, from now I hope we shall be able to utilise for at least a few useful schemes in the next year's budget. (A VOICE: How long will you take, scheming and scheming?) Well, Sir, they have been managing the

Calcutta Corporation for the last twelve years, and I believe that what I have been able to do in four months will not compare unfavourably with their performance there in twelve years. (Cheers from the Muslim members.)

Mr. SPEAKER: Mr. Sarker, I shall be grateful if you would kindly address the Chair.

The Hon'ble Mr. NALINI RANJAN SARKER: All right. Sir, the Leader of the Opposition in his usual style said that we have not had regard to any programme. It is true that we have not published an elaborate programme, but I can say that we shall be able to give partial effect to the items which have been put as first and second in order of merit in the Congress programme. The scaling of debts is one of the most important items in the Congress election manifesto. I have seen in the speech of the Congress President that he was more anxious for scaling down debts than for any other thing. I have been able to announce that we have made full provision for the establishment of Debt Settlement Boards throughout the province. Another important item in the Congress programme relates to land laws. We have prepared a short Bill which the Hon'ble the Revenue Minister will introduce during this session, dealing with the most urgent problems that affect the tenantry of this province. We also propose to appoint a Commission for dealing with other complicated problems of land laws in Bengal.

I have already said, Sir, that though we have not been able to include any big scheme in this year's budget I hope to present a fuller budget next time, subject to the limitations imposed by our resources.

I do not want to take up more of your time, Sir, and I sincerely thank you and, through you, the members of this Assembly for the very patient hearing they have given me in connexion with the budget statement.

A voice from the Congress benches: Who will appoint this Commission?

Mr. SPEAKER: That is a question which does not arise.

The Hon'ble Mr. NALINI RANJAN SARKER: Sir, there is one other point. With regard to the questions put by Mr. Biswas, I shall answer them to-morrow after consulting the necessary records.

Mr. SURENDRA NATH BISWAS: Sir, may I point out that the Assembly will not meet to-morrow? So may we not have an answer just now?

Mr. SPEAKER: I hope members will be good enough to extend at least a brotherly indulgence to members even though they belong to the other side. Here are certain questions which have been put by Mr. Surendra Nath Biswas, and the Hon'ble the Finance Minister has agreed to give a reply to them. I do not think, however, that it is possible for him to give an off-hand reply, because it is an important matter, and I think it affects the future procedure of this House. I would accordingly request Mr. Biswas to wait till Monday next when the Assembly meets again.

I am personally grateful to the members of this House for patiently sitting till such a long hour. The House now stands adjourned till 4-45 p.m. on Monday, the 9th of August, 1937.

Adjournment.

The Assembly was then adjourned till 4-45 p.m. on Monday, the 9th of August, 1937, at the Assembly House, Calcutta.

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